

programs, or activities provided to the public. Nor does it overrule legitimate safety requirements.

What does under control mean? Do service/alert animals have to be on a leash? Do they have to be quiet and not bark?

- The ADA requires that service animals be under the control of the handler at all times. In most instances, the handler will be the individual with a disability or a third party who accompanies the individual with a disability. The service/alert animal must be harnessed, leashed, or tethered while in public places unless these devices interfere with the service animal's work or the person's disability prevents use of these devices. In that case, the person must use voice, signal, or other effective means to maintain control of the animal. For example, a returning veteran who has PTSD and has great difficulty entering unfamiliar spaces may have a dog that is trained to enter a space, check to see that no threats are there, come back and signal that it is safe to enter. The dog must be off leash to do its job but may be leashed at other times. Under control also means that a service animal should not be allowed to bark repeatedly in a lecture hall, theater, library, or other quiet place. However, if a dog barks just once, or barks because someone has provoked it, this would not mean the dog is out of control.

What can my staff do when a service/alert animal is being disruptive?

- If a service or alert animal is out of control and the handler does not take effective action to control it, staff may request that the animal be removed from the premises.

	Service & Alert Animal	Emotional Support Animal	Therapy Animals
Governing Laws (Federal & State)	ADA AHRA ¹	ACAA ² FHA ³	Only State & Local Laws Apply
Type of animal	Dog & Miniature Horse	Any Animal (with some exclusions)	Any Animal
Specifically trained to help handler/owner with tasks/functions the handler/owner cannot perform due to specific disability	✓	✗	✗
Allowed in public establishments	✓	✗	✗
Live in "no pet" housing	✓	✓	✗
Fly in airplane cabin with handler/owner	✓	✓	✗
Must be under Handler's/owner's control	✓	✓	✗



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¹Alaska Human Rights Act

²Air Carrier Access Act

³Fair Housing Act

SERVICE ANIMAL POCKET CARD FOR BUSINESSES

Alaska Statute 18.80.230, Alaska Administrative Code 6 AAC 30.610, and Title III of the Americans with Disabilities Act (ADA) govern the rights of persons requiring a service animal.

BUSINESSES MAY ASK:

When a person with a service animal enters a place of public accommodation, only two questions may be asked to the handler:

- Is the animal required because of a disability?
- What work or task has the animal been trained to perform?

BUSINESSES MAY NOT:

- Ask about the person's disability (nature or extent)
- Ask for documentation or proof that the service animal has been certified, trained, or licensed as a service animal, (service animals are NOT required to wear a vest or other items nor are they required to be registered as service animals)
- Ask for a demonstration of the tasks the service animal is trained to perform.
- Charge additional fees because of the animal
- Refuse admittance, isolate, segregate or treat the person less favorably than other patrons.

What is a Service Animal?

- A service animal is any dog or miniature horse that is trained to do work or perform tasks for an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability; the work done or tasks performed must be directly related to the individual's disability and may include, guiding an individual who is visually impaired or blind, alerting an individual who is deaf or hard of hearing, pulling a wheelchair, assisting with mobility or balance, alerting and protecting an individual who is having a seizure, retrieving objects, alerting an individual to the presence of allergens, providing physical support and assistance with balance and stability to an individual with a mobility disability, helping

an individual with a psychiatric or neurological disability by preventing or interrupting impulsive or destructive behaviors, reminding an individual with mental illness to take prescribed medications, calming an individual with posttraumatic stress disorder during an anxiety attack, or doing other specific work or performing other special task.

What is an Alert animal?

- An alert animal is any animal that alerts a person with a disability to the present impairment of a vital function which is a condition of the individual's disability, and whose ability to alert is verified in writing by a licensed health care provider who has conducted a physical examination of the individual in person. A public accommodation may require an individual with a disability accompanied by an alert animal to produce the licensed health care provider's written verification of the animal's ability to alert.

What must I do when a person with a service/alert animal enters my business?

- The service animal must be permitted to accompany the individual with the disability to all areas of the facility where patrons are normally allowed to go. An individual with a service animal may not be segregated from the rest of the patrons. However, although a person with a disability has the right to be accompanied by his or her service/alert animal, businesses/entities are not required to allow an animal to sit or be fed at the table.

When can service and alert animals be excluded?

- A covered entity may exclude a service or alert animal if admitting a service/alert animal would fundamentally alter the nature of a service or program, if a service/alert animal is out of control and the handler does not take effective action to control it, or if the animal poses a health and safety risk (e.g. is not housebroken). The ADA does not require covered entities to modify policies, practices, or procedures if it would "fundamentally alter" the nature of the goods, services,