



Practice Clarification

OREGON HEALTH LICENSING AGENCY

ADA Service Animals

March 27, 2014

In an effort to provide clarification regarding service animals being allowed within cosmetology schools and facilities the Oregon Health Licensing Agency sought legal advice from General Counsel at the Department of Justice.

Question: *Does a service dog needed for customers with Post-Traumatic Stress Disorder (PTSD) fall under the “trained guide dogs for the disabled” exception for animals in cosmetology facilities within OAR 817-010-0095?*

OAR 817-010-0095

Pets in Facilities

Pets or other animals shall not be permitted in a facility at any time. This prohibition does not apply to trained guide dogs for the disabled, sightless, or hearing impaired or to fish in aquariums.

Answer: Yes. The ADA defines “service animals as dogs that are individually trained to do work or perform tasks for people with disabilities”. Examples of such work or tasks include guiding people who are blind, alerting people who are deaf, pulling a wheelchair, alerting and protecting a person who is having a seizure, reminding a person with mental illness to take prescribed medication, calming a person with Post Traumatic Stress Disorder (PTSD) during an anxiety attack, or performing other duties. Service animals are working animals, not pets. The work or task a dog has been trained to provide must be directly related to the person’s disability.

Important Note: The Agency does not provide personal legal advice to licensees or members of the public. The responses listed here are specific to only those questions asked. Even slight changes in the scope or content of the question may change the applicability of these responses in a different situation. Please consult your own attorney for legal advice regarding Oregon laws and administrative rules.