



NEW YORK STATE SENATOR

Kathleen A. Marchione

## Senator Kathy Marchione's legislation requiring a study to help establish state standards for the certification, training and evaluation of therapy dogs unanimously passes State Senate

KATHLEEN A. MARCHIONE June 8, 2017

| ISSUE: **DOGS, ANIMAL ADVOCACY DAY, HEALTH CARE**

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Albany, NY – Senator Kathy Marchione (R,C,I,Reform-Halfmoon), Chair of the Senate's Local Government Committee, today announced the State Senate's unanimous passage of her legislation requiring a study to help establish state standards for the certification, training and evaluation of therapy dogs. Senator Marchione's legislation passed by a vote of 62-0 during today's Senate Session.

Senator Marchione's legislation, Senate Bill S.6565, would amend the State's Agricultural and Markets Law regarding the conduct of a study on the necessity of standards for the certification, training and evaluation of therapy dogs with the submission of a report by October 1, 2018. Senator Marchione's legislation also would update the definition of "therapy dog" and clarify that it is not a service dog, authorize municipalities to grant a license tag for therapy dogs, and make it illegal to knowingly put a false identification tag on a therapy dog.

Presently, state law defines "therapy dog" as "any dog that is trained to aid the emotional and physical health of patients in hospitals, nursing homes, retirement homes and other settings and is actually used for such purpose, or any dog during such period such dog is being

trained or bred for such purpose.” There are no training requirements or credentialing requirements set forth. Situations have occurred where untrained animals are presented as so-called therapy dogs in the presence of the public and other trained service animals. There also have been many instances where untrained dogs have fought with trained dogs, and also caused disturbances in the very places they are purported to be able to visit such as hospitals, nursing homes, retirement homes.

Senator Marchione’s legislation would require the Commissioner of Agriculture to study this issue and make recommendations regarding standards for enactment on the training and privileges of therapy dogs. In addition, Senator Marchione’s bill would provide municipalities the authority to grant a license for a therapy dog, as well as imposing a penalty for falsifying an untrained dog as a therapy dog. A “service dog” means any dog that has been or is being individually trained to do work or perform tasks for the benefit of a person with a disability. Service animals/dogs are regulated under the Americans with Disabilities Act (ADA). This bill has nothing to do with Service Animals. ADA requirements state: “Dogs whose sole function is to provide comfort or emotional support do not qualify as service animals under the ADA.”

“My legislation would help establish state standards for the most effective training and evaluation of therapy dogs. These necessary steps will ensure that therapy dogs can effectively meet the important health and healing needs of New Yorkers,” Senator Marchione said.

The Assembly companion measure for Senate Bill S.6565 is Assembly Bill A.6801A, sponsored by Assemblyman Matthew Titone (D-Staten Island). The Assembly version was reported referred to the Assembly Codes Committee.

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RELATED LEGISLATION

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## 2017-S6565

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- Introduced
  - In Committee Assembly
  - In Committee Senate
- ◦ On Floor Calendar Assembly
  - On Floor Calendar Senate
- ◦ Passed Assembly
  - Passed Senate
- Delivered to Governor
- Signed By Governor
- 

Examines the need for standards for the designation of therapy dogs

June 02, 2017

Signed by Governor

Sponsored by **Kathleen A. Marchione**

Do you support this bill?