

# **Transporting Enrollees with Service Dogs: *Attention Transportation Providers***

*This is a reminder that Medicaid enrollees with service dogs must be given equal access to Medicaid transportation services. The Bureau of Medicaid Transportation appreciates efforts of transportation providers in accommodating for people with disabilities. Discrimination against individuals with disabilities is prohibited under the **Americans with Disabilities Act (ADA)**. It is both a federal and State requirement that businesses allow people with disabilities to bring their service animals onto the premises in whatever areas customers are generally allowed.<sup>1</sup> An individual with a service animal may not be segregated from other customers. This requirement applies to all modes of Medicaid Transportation services.*

**Medicaid Transportation services:** Medicaid enrollees with a service animal cannot be denied transportation under the ADA. The receiving facility can be notified of the presence of a service animal accompanying the patient, however a business or public accommodation shall not ask or require a disabled individual with a service animal to pay for a surcharge, even if people accompanied by pets are required to pay fees, or to comply with other requirements generally not applicable to people without pets.<sup>2</sup> This means private taxicab companies are prohibited from charging higher fares or fees for transporting disabled individuals and their service dogs.

**Definition of a service animal:** The ADA defines a service animal as any size or breed of dog that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability, regardless of whether the dog has been licensed or certified by a state or local government. The care or supervision of a service animal is solely the responsibility of his or her owner. The ADA defines the following<sup>3</sup>:

**"Guide dog"** means any dog that is trained to aid a person who is blind and is actually used for such purpose, or any dog owned by a recognized guide dog training center located within the state during the period such dog is being trained or bred for such purpose.

**"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, provided that the dog is or will be owned by such person or that person's parent, guardian or other legal representative.

**Questions** regarding this policy should be directed to Shannon Tierney at the Office of Health Insurance Programs, Bureau of Medicaid Transportation at 518-473-2160. Questions about service animals or other requirements of the ADA should be directed to the U.S. Department of Justice ADA information line at 800-514-0301 (voice) or 800-514-0383 (TTY).

References:

1 [https://www.ada.gov/regs2010/titleIII\\_2010/titleIII\\_2010\\_regulations.htm#a302](https://www.ada.gov/regs2010/titleIII_2010/titleIII_2010_regulations.htm#a302), refer to section c, item 7.

2 [https://www.ada.gov/regs2010/titleIII\\_2010/titleIII\\_2010\\_regulations.htm#a302](https://www.ada.gov/regs2010/titleIII_2010/titleIII_2010_regulations.htm#a302), refer to section c, item 8.

3 [https://www.ada.gov/regs2010/titleIII\\_2010/titleIII\\_2010\\_regulations.htm#a104](https://www.ada.gov/regs2010/titleIII_2010/titleIII_2010_regulations.htm#a104), refer to section on Service Animals