



## Tucson Neuropsychology Associates, PLLC

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### **What are Psychological Evaluations for Emotional Support Animal letters?**

There are certain situations that require individuals with emotional support animals to provide proof that they qualify for an emotional support animal. This is typically for housing or airlines. There have been many scam letters used lately so people are being more critical of the documented proof. Proof must be in writing by a licensed health care provider (psychologist or MD) who has seen you to determine if you have a qualifying mental health condition and meet other criteria. Tucson Neuropsychology is now offering psychological evaluations for this purpose.

### **What are Emotional Support Animals?**

An Emotional Support Animal (ESA) is a companion animal that provides emotional support and therapeutic benefit to a person with a mental health disability. The mental health condition and related disability must be diagnosed by a licensed mental health provider and meet DSM-5 criteria. The animal support must be viewed as a therapeutic support for the individual and not just a companion.

#### For an ESA, the following conditions must be met:

- The person has a mental health condition with related disability (diagnosed by a licensed mental health provider).
- The animal must be viewed as providing a therapeutic service (emotional support) that reduce one or more identified symptoms of the person's disability. This would increase the person's ability to function.
- Although the animal is not required to be formally trained, the animal needs to clearly facilitate the disabled person's functioning. Therefore, it is important that the animal behave in a calm and safe manner and displays appropriate behavior (stays with person, non-aggressive, not disruptive, etc.). The animal cannot pose a direct threat to the health and safety of others.
- An ESA can be a dog, cat, or other animal.

### **What is the benefit of having an ESA designation?**

#### 1) Housing:

- If the requirements for an ESA are met, the animal is considered a "reasonable accommodation" under the Fair Housing Amendments Act of 1988 (FHA or FHAct). Under this act, an individual with a verifiable mental health disability and need for an ESA may be permitted to have their "assistance animal" in a residence (house, apartment, dormitory, etc.)

that otherwise has a “no pets” rule. An ESA may allow any added “pet fees” be waived since ESA are assistance animals and not pets.

- The FHA applies to most types of housing, however there are a few exceptions (private rental of a single family home, etc.). Individuals should check with the US Department of Housing and Urban Development (HUD) and the FHA for more details about these exceptions.
- Requests for an ESA accommodation usually need to be made in writing to the housing provider / landlord. They will consider requests for an ESA and determine if allowing this would be a “reasonable accommodation”. They can ask: 1) Does the person have a disability; and 2) Does the person have a disability-related need for an assistance animal. They cannot ask for details about the person’s diagnosis or medical/psychological history and they cannot ask for medical records. However, they may ask for documentation that there is a disability and need for ESA. This is usually provided in the form of a letter from a mental health or medical provider.
- The request can be denied if deemed not necessary (example: no letter) or would cause unreasonable costs or damage. In addition, refusals can be made if the animal is disruptive or the owner does not take reasonable steps to stop the animal from bothering other tenants, etc.
- Owners of ESA are still responsible for their animal’s behavior and keeping their animal under control. They are also responsible for cleaning up after their animal and any damage they cause.

## 2) Airlines:

- ESA are to be allowed to accompany the disabled person on an airline flight.
- The airlines will require a letter from a licensed mental health or medical provider saying:
  - That the passenger has a mental disability (DSM-5)
  - That the ESA is a needed accommodation for air travel and/or for an activity at the passenger’s destination
  - That the individual is under the care of the mental health provider
  - The letter must include the date/type of provider license and state it was issued.
  - The letter must not be more than a year old (as of date of flight)
- 48 hour notice to the airline of an ESA is usually required by the airline.
- The airline cannot charge additional fees for the animal unless more than one seat will be occupied.
- Airlines are not required to accommodate unusual service animals (example: snakes, reptiles, rodents, ferrets, spiders) in the cabin.
- ESA are not required to wear a vest or have any specific identification as an ESA.
- There may be skepticism about the ESA being legitimate due to many ESA scams and improper letters. The owner should be prepared to show their letter and to get questions or comments from others in an airport that they are not required to answer.
- The owner is responsible for the ESA’s behavior and any damages or injuries to others. Owners should consider participating in dog training if needed and purchasing Dog-Bite insurance prior to a flight.

## **What ESA animals are NOT permitted to do:**

ESA animals are NOT able to go with their owners to places where pets/animals are not allowed. ESA animals are NOT “Service Dogs” and do not have the right to go places that service dogs do. Therefore, do not plan to take your ESA to stores, restaurants, health care offices, schools, or other places that do not allow animals. For more information about Service Dogs, see below.

## **What is the difference between an Emotional Support Animal (ESA) & Service Animal?**

- An ESA provides emotional support. ESA’s are not **Service Animals** and are not protected under the Americans with Disabilities Act (ADA).
- **Service Animals** are dogs that have been specially trained to serve a specific purpose for a person with a disability. This is typically used for someone with a physically disability or medical condition (example: vision impaired, seizure disorder, etc.).
- Sometimes service dogs can be used for a psychiatric condition (for instance, if they can sense a pending anxiety attack and prevent it or lessen the impact). However, if the animal provides emotional support rather than a task, it would not qualify as a service dog under the ADA.
- Service dogs are required to be trained, either by a professional or by the individual with a disability.
- Service dogs must have completed training before they can be taken into public places.
- Service dogs are not pets.
- Under the Americans with Disabilities Act (ADA), service animals are allowed to go with their person to most places since their person has a disability and needs their assistance to function.
- Service animals must be under the control of the handler at all times. Animals who are not under control of the handler or are disruptive can be asked to leave the premises.
- The service animal must be harnessed, leashed, or tethered while in public places unless these devices would interfere with the service work.