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## FISCAL IMPACT REPORT

SPONSOR Boykin DATE TYPED 02/02/04 HB HJM 48

SHORT TITLE Care of Assistance Animals in Emergencies SB \_\_\_\_\_

ANALYST Wilson

### APPROPRIATION

Appropriation Contained		Estimated Additional Impact		Recurring or Non-Rec	Fund Affected
FY04	FY05	FY04	FY05		
			NFI		

### SOURCES OF INFORMATION

LFC Files

Responses Received From  
Department of Health (DOH)

### SUMMARY

#### Synopsis of Bill

House Joint Memorial 48 requests the DOH, in collaboration with the Department of Public Safety (DPS) and other agencies, to develop methods to provide for the continuous care and safety of assistance animals in both individual and community emergency situations. The DOH must consult with individual with disabilities who use assistance animals in developing its protocols. The memorial further requests that these methods address educating public safety workers on the right of disabled persons to have their assistance dogs remain with them in all public and private settings.

#### Significant Issues

Assistance animals include guide dogs, signal dogs or other animals individually trained to provide assistance to individuals with disabilities. These animals perform functions and tasks that individuals with disabilities cannot perform for themselves. Assistance animals serve as "seeing eye dogs", assist persons with hearing impairments, pull wheelchairs, carry or pick up objects and assist persons with mobility or balance impairments. Assistance animals are not pets.

The federal Americans with Disabilities Act and state law require that assistance animals have access to any business, building or public accommodation, provided that the assistance animal is under the control of a person with a disability.

On occasion, a person with a disability who has an assistance animal may require emergency intervention, such as transportation to a hospital or other health care setting, and may not be able to verbally assert the right to be accompanied by the assistance animal. In situations such as this, the assistance animal may be left without a caretaker and the disabled person may be left without the vital support provided by the assistance animal and this could pose a threat to the well-being and safety of the assistance animal, as well as to the disabled person.

The DOH, through its Public Health Emergency Preparedness Program (PHEPP), is already addressing the needs and priorities of the disabled during emergency situations. Included in this activity is attention toward the issues related to service animals. A recently completed statewide assessment of the needs and priorities of people with disabilities in public health emergency preparedness and response was performed by PHEPP during the past year in collaboration with the Center for Development and Disability at the UNM School of Medicine, Davis Innovations, Inc. and the Governor's Committee on the Concerns of the Handicapped. DOH has been collaborating with the DPS through its Office of Emergency Management (OEM) in emergency response planning for many years, and is closely working with OEM, the UNM School of Medicine, and others who are designing training for first responders in all aspects of emergency planning, response, and recovery. Comments and recommendations from nearly all disability-related stakeholders and advocacy organizations were obtained for inclusion in the aforementioned assessment. Through this collaboration, the task requested by HJM 48 is being addressed thoroughly and with input from all of the appropriate entities.

### **FISCAL IMPLICATIONS**

The DOH PHEPP and the Hospital and Health System Emergency Preparedness Program are charged with developing preparedness and response procedures to address the needs and priorities of people with disabilities. The costs of this study can be absorbed by the budgets of these two programs, which are funded by the Centers for Disease Control (CDC) and the Hospital Resources and Systems Administration (HRSA).

### **ADMINISTRATIVE IMPLICATIONS**

DOH is currently addressing the provisions of this memorial. The results of the study may place additional administrative burdens on DOH.

### **OTHER SUBSTANTIVE ISSUES**

The United States Department of Health and Human Services reports there are more than 54 million individuals living with one or more disabilities. More than 20,000 of these individuals depend upon assistance animals. Assistance animals, or service animals, play a vital role in the lives of persons with disabilities and enable these persons to enjoy a quality of life and level of independence that would otherwise not be possible. While service animals have traditionally referred to seeing-eye dogs for persons with vision impairment, in fact, there are many other types of service animals that assist the deaf, persons with seizure disorders, persons with motor impairments, and persons with psychiatric impairments.

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During an emergency or disaster, it is vital that first responders be aware of the importance of evacuating and keeping a service animal with its owner, the needs of the animal, service animal “etiquette,” and the legislation that enables individuals to remain with their service animals in all settings.

As a result of the recently completed statewide assessment, one recommendation was to develop a training program for first responders and other emergency management personnel in the issues that need to be considered when interacting and providing assistance to various disabled populations during instances of emergency response. It was also recommended to develop a series of “Tip Sheets” that can be included in the training for first responders. One Tip Sheet, already available, addresses specifically how to interact with service animals and their owners.

**DW/lg:dm**