

Service Animal or Emotional Support Animal – What's the Difference?

Federal laws¹ require that people with disabilities using service animals be allowed into all places open to the public. It gets confusing when people try to apply those laws to an animal that is not really a service animal.

Service Animals

Some might call it a guide dog or a hearing dog or a psychiatric service animal, but the federal laws call it a service animal. A service animal is trained specifically to help a person with a disability. It can be a dog or a miniature horse.

The service animal does what the person cannot - guides the person around town, lets the person know when the phone or alarms ring, provides support for a person who loses their balance and so on. A service animal has special training and performs special jobs. A service animal is not a pet. A service animal works.

A psychiatric service animal is a type of service animal specially trained to help people with psychiatric disabilities. Again, the disability must prevent the person from being able to do something. The service animal does it for them - wakes them if their medication makes it difficult to wake, provides support if they lose their balance due to medication side effects, keeps them safe if they get confused. A psychiatric service animal has special training. A psychiatric service animal is not a pet. A psychiatric service animal works.

Federal law treats the use of a service animal as an accommodation. This means that public and private businesses must allow people with disabilities to bring their service animals with them when using those businesses. People with service animals also must be allowed to use service animals within their housing units. People cannot be charged a "pet fee" for a service animal.

Michigan also has laws about service animals that add more protection for people with disabilities. With certain exceptions, Michigan laws make it a crime (misdemeanor) if a business refuses to allow a person with a disability to enter with a service animal (or refuses to allow a state certified trainer to enter with an animal in training to be a service animal). It's also a crime in Michigan to interfere with a working service animal or to harass or abuse it.

Michigan now offers a "patch" or badge that a service animal can wear. It is voluntary, but might help avoid problems. The Michigan Department of Civil Rights also has information about [how to apply](#) for this. It also has a [list of trainers](#) if you are looking for one. Go to the [Michigan Department of Civil Rights](#) for more information

To get more information or file a complaint, call the Michigan Department of Civil Rights at 1-800-482-3604.

Pets and Emotional Support Animals

There is some confusion within the general public when a person with a disability tries to use the laws for service animals to keep a pet or an emotional support animal with them at all times. In Michigan, it is against the law to pretend that an animal is a service animal when it is not.

A pet is an animal anyone can have-even people without disabilities. It has no special training and does not perform any special jobs. There is federal law that gives people the right to keep a pet if they live in housing for the elderly or disabled (subsidized or insured by HUD), but there is nothing saying people have the right to take a pet into a restaurant or store.

An emotional support animal is not a service animal. It is not specially trained and does not perform any special jobs for people with disabilities. It just helps by being there.

Emotional support animals are often prescribed by a doctor as part of therapy or treatment. An animal nearby can help lift depression, calm anxiety, and provide comfort to someone who is physically ill. Some people can only feel comfortable leaving their home if they have their animal with them.

People with disabilities may be able to keep an emotional support animal in housing and on planes. If there is a no-pet rule, then the person with the disability needs to ask for an accommodation. Again, there is no law saying emotional support animals must be allowed any other place, but a person with a disability can always try asking a business for an accommodation.

If you have questions about service animals or emotional support animals, please contact the Michigan Department of Civil Rights or the MPAS Information, Referral, and Education Services Team at **800. 288.5923**.

1 *The Fair Housing Act Amendments of 1988 (FHA), the Americans with Disabilities Act (ADA), Section 504 of the Rehabilitation Act of 1973 (Section 504), Section 227 of the Housing and Urban-Rural Recovery Act of 1983 (HUD, Section 227), Air Carrier Access Act of 1986 (ACAA).*

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