

RÉSUMÉ DIGEST

ACT 558 (HB 407)

2024 Regular Session

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New law provides a short title for new law, to be known as "The Louisiana Support and Service Animal Integrity Act".

New law provides for the purposes and intent of new law.

New law defines "disability" in accordance with existing law (42 U.S.C. 12101 et seq.) and its related amendments. The term includes "handicap" as defined in existing law (42 U.S.C. 3601 et seq., as amended, and 24 CFR 100.201).

New law defines "healthcare provider" in accordance with existing law (R.S. 40:1231.1).

New law defines "healthcare services" in accordance with existing law (R.S. 22:1020.1).

New law defines "public accommodation" or "place of public accommodation" in accordance with existing law (R.S. 51:2232).

New law defines "service animal" in accordance with existing law (R.S. 46:1952) and defines "support animal" as an animal, other than a service dog as defined in existing law (R.S. 46:1952), that does work, performs tasks, provides assistance, or therapeutic emotional support for individuals with disabilities.

New law defines "therapeutic relationship" as the provision of healthcare services by a healthcare provider in good faith and with actual knowledge of an individual's disability and that individual's disability-related need for a support animal. The new law term does not include services provided by an individual or entity that issues a certificate, license, letter or similar document that purports to confirm, without conducting a meaningful assessment of a person's disability or a person's disability-related need for a support animal, that a person has a disability or a disability-related need for a support animal.

New law prohibits healthcare providers from producing documentation relating to an individual's need for a support animal unless they satisfy the following requirements:

- (1) Possess an active and valid La. license to perform healthcare services or an active license within a healthcare profession that has a licensure compact.
- (2) Are qualified and licensed to evaluate and diagnose disabilities and have performed a disability assessment of an individual.
- (3) Include all the following in the documentation relating to an individual's need for a support animal:
 - (a) The effective date of the documentation.
 - (b) The license number of the healthcare provider.
 - (c) The type of professional license held by the healthcare provider.
- (4) Establish a therapeutic relationship with an individual no less than 30 days prior to producing the documentation regarding the individual's need for a support animal.
- (5) Have engaged with an individual in person or remotely in at least two sessions before issuing documentation regarding the individual's need for a support animal.
- (6) Perform a clinical evaluation of an individual no less than 30 days before producing documentation regarding the individual's need for a support animal.

New law prohibits healthcare providers from representing or attempting to represent that an individual has a disability that requires the use of a support animal when the individual is not disabled or does not need a support animal for that individual's disability.

New law prohibits an individual from representing or attempting to represent to third parties that the individual has a disability that requires the use of a support animal when the individual is not disabled or does not need a support animal for that individual's disability.

New law prohibits an individual from misrepresenting an animal as a service dog or service dog-in-training to any person or entity operating a public accommodation or residential dwelling.

New law requires certain written notices for an individual or business engaged in the sale of support animals.

New law provides specific criteria for the manner in which notices required by new law shall be written for an individual or business engaged in the sale of certificates or letters for support animals.

New law provides a penalty of \$500 for the first offense of an individual who violates the provisions of new law. New law further provides a penalty of \$1,000 for the second offense and a penalty of \$2,500 for the third or any subsequent offense.

New law provides that nothing in new law shall be construed to restrict or modify any state or federal existing law related to an individual's rights for reasonable accommodation and equal access to housing.

Effective August 1, 2024.

(Adds R.S. 46:1971-1978)