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Division of Long Term Care
Office of Family Care Expansion – Attn: 1915(c) Waiver Application
1 West Wilson St, Room 518
PO Box 7851
Madison WI 53707-7851
DHSOFCE@dhs.wisconsin.gov

Dear Wisconsin Department of Health Services, Office of Family Care Expansion,

The Board of Directors of Psychiatric Service Dog Partners (“PSDP”), which has stakeholders in Wisconsin, the rest of the United States, and internationally, generally supports efforts in regulations to recognize the functions service dogs provide as analogous to those provided by other medical equipment. We find this recognition, and pursuant treatment, is justified on grounds of parity and economics, in accordance with the stated purposes of the [renewal application draft of the Medicaid Home and Community-Based Services \(HCBS\) Family Care waiver program](#) (“waiver program draft”) authorized in §1915(c) of the Social Security Act.

While PSDP supports and sincerely appreciates these efforts, we find it imperative to address a flaw of great detriment to our community in the currently proposed waiver program, regarding the absence of an avenue for owner-trainers of service dogs to participate in the service dog benefit. We explain the flaw and its ramifications below, then suggest alternative language that we believe would patch the error so that the waiver program does not unduly discriminate against a great deal of current and prospective service dog users.

The two basic options for obtaining a service dog are to purchase/receive one from a program* and to train one oneself (“owner-training”). Most people are familiar with the former possibility since large organizations experience more publicity, but owner-training remains less in the public

* While it is not within our purview to explore the impact of the waiver program draft language on those who want to obtain a service dog from a program, there is something we find worth noting in this regard. Many programs do not outright “sell” or offer for “purchase” any service dogs, but they require that a certain amount of money be raised/donated in the name of the party that is to receive a service dog from the program. We will not comment on whether this sort of disconnected sale is right or wrong, but we note that the language regarding the “initial purchase of a service dog” in the waiver program may keep prospective service dog users from availing themselves of the waiver program benefit in conjunction with such organizations.

eye without the means for such publicity, in spite of the large number of individuals who use owner-trained service dogs. It is very difficult to estimate the number of service dogs in the United States, but in September of 2013 our Secretary conducted a study indicating there are between 15,000 and 45,000 service dogs in the U.S., and that 5,000–20,000 of these were owner-trained. Long-term trends signal that the numbers in both categories have been rising.

We respectfully contend that if the waiver program extends benefits to those who purchase a dog from a program that trains service dogs, it must extend an equivalent benefit to those who purchase a dog for the express purpose of owner-training it as a service dog. The prohibitive cost and waiting times for many programs (as well as the proliferation of less-than-desirable programs) make owner-training a must for many people with disabilities who wish to be afforded the same benefits of independence and community-integration.

In addition, the inherent benefits of owner-training make it not only preferable for some types of disabilities, our experience is that owner-training is practically essential for a successful working relationship for many teams. We do not mean to say that program-dogs are not enormously beneficial for those with certain other types of disabilities; to some extent, service dogs may be “interchangeable” between persons with disabilities requiring the same assistance behaviors, like a particular size and type of wheelchair would be.

However, for many types of work and tasks a service dog can provide, it is simply not possible to purchase a service dog that is “ready-to-go, fresh out of the package”. The training of some assistance behaviors simply requires that the dog spend an extended period of time with the disabled individual, in order to be able to recognize and respond to departures from the individual's physiological or emotional baseline. In cases of this type, the dog must undergo extensive training while cohabiting with the person with a disability, and so a dog simply could not be purchased as a fully-trained service dog for such a person.

This means that restricting a service dog benefit to those types of service dogs that can be successfully trained independent of the end-user is a restriction that discriminates against those with disabilities that cannot be mitigated by a one-size-fits-all program dog. It may also lead to persons with disabilities turning to programs when an owner-training path would be significantly more beneficial, merely because the waiver program only provides a financial conduit for the program-training path.

For more information, see “Do I train my own dog or get a dog from a program?” under our “Choosing a Service Dog Prospect” Frequently Asked Questions webpage:

<http://www.psychdogpartners.org/resources/frequently-asked-questions/faq-choosing-service-dog-prospect>

Also see “Why is it important that I'm involved in my dog's training?” under our “Training—Basics” Frequently Asked Questions webpage:

<http://www.psychdogpartners.org/resources/frequently-asked-questions/faq-training-basics>

For the aforementioned reasons, we recommend modifying the language on pages 64 and 65. Currently, the relevant portions under “**Service Definition**” and under “**Provider Qualifications**[...]”**Other Standard**”, respectively, read:

“The service may also include the initial purchase of a service dog and routine veterinary costs for a service dog.”

“Reputable provider with experience providing and training service dogs.”

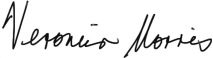
In order to best serve the stated goals of the waiver program, we offer the following language instead (in the two respective locations):

“The service may also include the initial purchase of a service dog, or the initial purchase of a dog obtained for the express purpose of executing a specific plan to owner-train a service dog, as well as routine veterinary costs for either such dog.”

“Reputable provider with either (1) experience providing and training service dogs (in the case of program-trained dogs), or (2) experience breeding dogs with health checks and temperament determinations sufficient to assess the suitability of the dog as a service dog prospect.”

Since the information and reasoning we have provided is not something readily available to those without the relevant highly specialized expertise, PSDP recognizes that we cannot expect waiver program drafters to operate with a perfect knowledge of this specialized subject matter without feedback from those stakeholders with this expertise. We sincerely hope our comments are helpful in this regard, and we look forward to hearing how Wisconsin's DHS will incorporate what we have offered. Please do not hesitate to contact us if we may be of further assistance.

With great respect,


Veronica Morris, PhD
President, Board of Directors
on behalf of the PSDP Board of Directors

Psychiatric Service Dogs Partners' purpose is to promote the mental health of people using service dogs for psychiatric disabilities by educating, advocating, providing expertise, facilitating peer support, and promoting responsible service dog training and handling.

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