

CONSENT CALENDAR

January 24, 2022

HOUSE OF REPRESENTATIVES

REPORT OF COMMITTEE

**The Committee on Health, Human Services and Elderly
Affairs to which was referred HB 1327,**

**AN ACT including diabetes in the conditions listed for
eligibility for a service animal. Having considered the
same, report the same with the recommendation that
the bill OUGHT TO PASS.**

Rep. Erica Layon

FOR THE COMMITTEE

COMMITTEE REPORT

Committee:	Health, Human Services and Elderly Affairs
Bill Number:	HB 1327
Title:	including diabetes in the conditions listed for eligibility for a service animal.
Date:	January 24, 2022
Consent Calendar:	CONSENT
Recommendation:	OUGHT TO PASS

STATEMENT OF INTENT

This bill adds diabetes to the listed conditions for eligibility for a service animal for the purposes of better detecting potentially deadly blood sugar levels and keeping tighter glucose control targets. The best medical technology, such as the continuous glucose monitor, can be slow to react to potentially deadly, rapid changes and patients can begin to miss alerts if these alerts sound too often. Allowing a diabetic to make use of a service dog solves these problems and enables independence, especially for teens and young adults who are at greatest risk from deadly hypoglycemia. Further, it empowers these patients to target a lower goal blood sugar rate that reduces costly and dangerous complications caused by chronic elevated blood sugar levels.

Vote 16-0.

Rep. Erica Layon
FOR THE COMMITTEE

Original: House Clerk
Cc: Committee Bill File

CONSENT CALENDAR

Health, Human Services and Elderly Affairs

HB 1327, including diabetes in the conditions listed for eligibility for a service animal. **OUGHT TO PASS.**

Rep. Erica Layon for Health, Human Services and Elderly Affairs. This bill adds diabetes to the listed conditions for eligibility for a service animal for the purposes of better detecting potentially deadly blood sugar levels and keeping tighter glucose control targets. The best medical technology, such as the continuous glucose monitor, can be slow to react to potentially deadly, rapid changes and patients can begin to miss alerts if these alerts sound too often. Allowing a diabetic to make use of a service dog solves these problems and enables independence, especially for teens and young adults who are at greatest risk from deadly hypoglycemia. Further, it empowers these patients to target a lower goal blood sugar rate that reduces costly and dangerous complications caused by chronic elevated blood sugar levels. **Vote 16-0.**

Original: House Clerk

Cc: Committee Bill File

HOUSE COMMITTEE ON HEALTH, HUMAN SERVICES AND ELDERLY AFFAIRS

EXECUTIVE SESSION on Bill # 1327

BILL TITLE: An Act including diabetes in the conditions listed for eligibility for a service animal.

DATE: 1/24/2022

LOB ROOM: 210-11

MOTION: (Please check one box)

OTP

Moved by Rep. Layon Seconded by Rep. Shapiro Vote: 16-0

CONSENT CALENDAR: **YES** **NO**

Minority Report? Yes No If yes, author, Rep: _____ Motion _____

Respectfully submitted: baf

Rep. Beth Folsom, Clerk

STATE OF NEW HAMPSHIRE
OFFICE OF THE HOUSE CLERK



9/28/2021 11:15:01 AM
Roll Call Committee Registers
Report

2022 SESSION

Health, Human Services and Elderly Affairs

Bill #: 1327 Motion: OTP AM #: _____ Exec Session Date: 1/24/2022

<u>Members</u>	<u>YEAS</u>	<u>Nays</u>	<u>NV</u>
Pearson, Mark A. Chairman	Y		
Layon, Erica J. Vice Chairman	Y		
McMahon, Charles E.	Y		
Acton, Dennis F.	Y		
Gay, Betty I.	Y		
Cushman, Leah P.	Y		
Folsom, Beth A. Clerk	Y		
Kelsey, Niki	Y		
King, Bill C.	Y		
Kofalt, Jim			absent
DeLemus, Susan			absent
Weber, Lucy M.			absent
Mackay, James R.	Y		
Snow, Kendall A.	Y		
Knirk, Jerry L.	Y		
Salloway, Jeffrey C.			absent
Cannon, Gerri D.	Y		
Nutter-Upham, Frances E.	Y		
Schapiro, Joe	Y		
Woods, Gary L.	Y		
Merchant, Gary			absent
TOTAL VOTE:	16	0	5

HOUSE COMMITTEE ON HEALTH, HUMAN SERVICES AND ELDERLY AFFAIRS

PUBLIC HEARING on Bill # 1327

BILL TITLE: An Act including diabetes in the conditions listed for eligibility for a service animal.

DATE: 02/18/2022

ROOM: LOB 210-11

Time Public Hearing Called to Order: 1:05pm

Time Adjourned: 1:35pm

Committee Members: Reps. M. Pearson, Layon, Folsom, Acton, Cushman, Kelsey, B. King, Kofalt, MacKay, DeLemus, Wallner, Knirk, Salloway, Cannon, Schapiro, Woods and Merchant, Query

TESTIMONY

Representative Schuett - introduced the bill

- Spoke to the difference between comfort animals and service animals. There are 70,000 people with diabetes in New Hampshire.

Stefany & Elle Shaheen, Portsmouth

- Mother & daughter. Elle is a Type One diabetic. They shared their personal story.
- Dog and patient go through training together.
- The dog can alert when numbers fall below 70 or go over 150
- He alerts by putting a paw on her lap
- Both tech and service animals are effective tools with the animal added much needed extra alerting.

Kurt Ehrenberg, Humane Society of US,

- The Humane Society is in support of this bill.

Katelyn Gagnon, Pembroke

- Has a PTSD service dog, spoke to the need for more trained dogs

Stacy Patterson-Gagnon, Pembroke

- Is currently in training with her dog. Low numbers can happen quickly, and the dog is alert to that. She has had problems with employers allowing her dog to stay with her and has even asked to provide a complete medical history.

Mary Finlayson, Chichester, Granite State Service Dogs

- She is a trainer and spoke to that process. Too many disallow service animals often blaming it on insurance requirements.

Chuck Saia, Exec Director, Governor's Commission on Disabilities - Supports

- As in all things there can be abusers of the law, but there are penalties.

Respectfully submitted,

Rep. Beth Folsom, Clerk


House Remote Testify

Health, Human Services and Elderly Affairs Committee Testify List for Bill HB1327 on 2022-01-18

Support: 4 Oppose: 1 Neutral: 0 Total to Testify: 0

Export to Excel

<u>Name</u>	<u>City, State</u> <u>Email Address</u>	<u>Title</u>	<u>Representing</u>	<u>Position</u>	<u>Testifying</u>	<u>Non-Germane</u>	<u>Signed Up</u>
Anastasia, Patricia	Londonderry, NH patti.anastasia@gmail.com	A Member of the Public	Myself	Support	No	No	1/14/2022 4:00 PM
Hohmeister, Julie	Bethlehem, NH jhohmeister@roadrunner.com	A Member of the Public	Myself	Oppose	No	No	1/15/2022 12:28 PM
Dickinson, Jeff	Concord, NH jdickinson@gsil.org	A Member of the Public	Granite State Independent Living	Support	No	No	1/17/2022 3:54 PM
Petrusewicz, Carol	rochester, NH clmcc2befree@yahoo.com	A Member of the Public	Myself	Support	No	No	1/17/2022 9:14 PM
Whitley, Becky	Concord, NH jessica.bourque@leg.state.nh.us	An Elected Official	Senate District 15	Support	No	No	1/18/2022 8:59 AM

Archived: Thursday, January 20, 2022 3:39:08 PM
From: [Angela Ferrari](#)
Sent: Tuesday, January 18, 2022 2:33:43 PM
To: ~House Health Human Services and Elderly Affairs
Subject: D.O.G.S. Supports HB 1327
Importance: Normal
Attachments:
[DOGS Support HB1327.pdf](#) 

Attach to permanent record for this bill

Dear House Health, Human Services and Elderly Affairs,

Apologies I was not able to attend today's hearing. Attached please find the letter of **Support** from Dog Owners of the Granite State on **HB 1327**, *an act including diabetes in the conditions listed for eligibility for a service animal.*

Sincerely,
Angela

--

Angela Ferrari
Mont Vernon, NH
603-769-0439

AKC Breeder of Merit
President, Dog Owners of the Granite State (D.O.G.S.)
Pilgrim Doberman Pinscher Club Treasurer
Doberman Pinscher Club of America Supporting Member, Legislative Task Force Member, and Generation Forward Member
Souhegan Kennel Club Director
National Beagle Club Supporting Member



HB 1327

January 16, 2022

The story behind M&M Island Cruises is one that we hold close to our hearts, and one that we want to share with as many people as possible. My hope is that once you have heard our story, you will be a part of helping us share it with others and be a part of the miracles that we are going to create and the lives we are going to change.

My daughter, Mandy, was diagnosed with type 1 diabetes when she was 7 years old. Mandy was kind, loving, gentle, and amazing. She loved children and she loved to give and to help. She struggled and suffered in countless ways because of this disease that is often silent. We were constantly researching any and every way that we could help her. We knew that a Diabetic Alert Dog could change her life and the overall quality of it. What more do any of us want for the ones we love?

A Diabetic Alert Dog is a dog that has completed rigorous training to alert their diabetic companion, in advance, of low and or high blood sugars. They are trained to do this **before** these levels become dangerous or require more extensive assistance or intervention. By detecting these signs early, the individual with diabetes can take the necessary steps to correct their blood sugar levels. This is what they do. This is what they are trained to do. In reality, however, they do so much more. To a person with diabetes, a Diabetic Alert Dog provides them with the priceless gifts of independence, companionship, improved health, safety, and lifesaving abilities.

We worked extremely hard as a family to provide Mandy with her Diabetic Alert Dog, Mylo. The day Mylo became a part of our Mandy's world, her life was forever changed. As a Diabetic Alert Dog, Mylo not only gave her irreplaceable companionship and independence but lifesaving changes as well. She prevented hospitalizations and helped improve her overall health and the quality of her life. Mylo's presence in Mandy's life afforded her opportunities that she otherwise would never have known. Mandy's happiest and most precious times were spent on Lake Winnepesaukee, with Mylo by her side. We lost our Mandy on February 22, 2019 to complications from her diabetes. That day changed our lives and our worlds forever. We saw what Mylo added to Mandy's life and to ours as well. The seeds of an idea began to form. What an amazing experience we had watching Mandy and Mylo together. What a life changer she has been. Wouldn't it be wonderful to help other children with diabetes experience this as well?

But these amazing animals and their intense training are extremely expensive. As a result of the high cost, there are many children who may never be afforded this opportunity.

We want to remember and honor Mandy. We want to share this life changing opportunity. We want to change the lives of other little girls and boys with diabetes. And thus, our idea was born.

My family and I have started a business, M&M Island Cruises, on Lake Winnepesaukee with the mission and goal being to raise money to provide other children with Diabetic Alert Dogs. We raised enough funds to provide our first recipient with a dog. We worked closely with a specialized dog trainer, identified our first recipient, and presented our first dog to an amazing young girl and her wonderful family on May 29, 2021 at the Town Docks in Meredith, NH. We hope this is the first of many children!

We were beyond thrilled to help this young girl and her family in this way. We plan to continue doing so, every year, for other children in the future. In our efforts to memorialize and honor our Mandy, we could not imagine a better way than this.

Please visit our website below for more information and pictures. We are currently updating our GoFundMe page as well.

~Kevin Morris+



[Watch Our Feature on WMUR NH Chronicle Here!](#)

MEREDITH – Mandy Grier’s family said the moment she got her diabetic alert dog Mylo, “Her life was forever changed”; he helped her live an independent life with her type 1 diabetes. Two years after her passing, her family is now working to give children facing the same condition their furry companion and protector.

Mandy’s dad, Kevin Morris, and her sisters, Anne Grier and Kelly McAllister, are working to raise money to give a diabetic alert dog every year to one child.

To cover the costs, the family has created a cruise service around the lake as well as a [GoFundMe](#) account for donations. So far the GoFundMe has raised \$18,560 as of Monday and the cruise company is in progress for this summer. They have already found a good dog for a young girl and presented her with her new companion in May.

Members of the Morris family all come from Meredith. Amanda, Anne, and Kelly all went to Inter-Lakes Schools and the family attended St. Charles Church.

Mandy was diagnosed with Type 1 diabetes at seven-years-old and she struggled with it her whole life. About eight years ago the family raised money to get her a diabetes alert dog named Mylo. Diabetic alert dogs are trained to recognize when their handler is having low or high blood sugar and is able to alert them so they can take actions before their blood sugar gets to dangerous levels.

“It was her happiest six years of her life,” Kevin said. “Not only was she a companion, but it was like having a doctor with her at all times.” Mylo was trained to recognize when Mandy’s blood sugar level went below 80 and she would alert her before she even knew something was going on. Her family said Mylo gave Mandy a healthier and more independent life without as many trips to the hospital. Mandy died on Feb. 22, 2019 from complications with diabetes at the age of 42.

“When Mandy passed away, I really wanted to do something in memory of Mandy and to help a child with diabetes,” Kevin said. “I would love to raise money to get a dog.”

Kevin along with Anne and Kelly put together M&M Angel Service Dogs, named after Mandy and Mylo, to raise money so a child can get a diabetic alert dog. They are also aiming to turn it into a nonprofit organization. To help with this endeavor, Kevin bought a 39-foot pontoon boat and started M&M Island Cruises. Kevin said his family has been on the lake their whole lives and members of the family have had places on Cotton and Bear Islands. The boat can hold around 20 people and has an upper deck with a spiral staircase and a bathroom. The company will offer charter cruises around the lake for groups of up to 18 people for morning cruises, wedding parties, bachelor and bachelorette parties, and many other occasions. A portion of the proceeds from each cruise will go toward getting a diabetic alert dog for a child.

Researching the dogs, Kevin said he was surprised to learn a diabetic alert dog costs an average of \$15,000 to \$30,000. He said he also didn’t know where to find a trainer or find a child who could use one.

Then he found Gilford’s Golden Guardians Service Animal Training, a Gilford-based company founded by Karla Weston to train golden retrievers to be medical alert animals, service animals for people with autism, and emotional support animals.

Kevin said he learned Weston already knew a lot of the answers he was looking for, including connections to different hospital’s endocrinology departments and contact with five different breeders around New England.

The family spoke with the endocrinology department at Wentworth Douglass Hospital in Dover and the hospital put them in contact with a family that really could use this dog.

The recipient was a little girl who was diagnosed with type 1 diabetes at 4. Kevin said he and Annie and Kelly met the girl and her family.

“It was a little emotional for them because they were going to receive the dog, emotional to us because we were doing this in memory of my daughter,” Kevin said. “The thing that makes my side of the family happy, we actually had a dream or a mission and now we’re actually giving the dog away.”

The girl received her 12-week-old puppy during a special presentation at the Meredith town docks.

After about a month, the dog went through a 10-week training period and learned how to recognize when her blood sugar goes over or below certain numbers. The dog went through two hours of training a day, then returned home with her family. At the end of training the dog was a full alert dog, able to accompany her to school and other places.

Kevin said he even found out the puppy’s mother was named Mandy.

“That kind of made us all say maybe my daughter is running the show from heaven,” Kevin said.

Kevin said he wants to continue doing this for the rest of his life and has told his daughters he wants them to continue the tradition when he’s gone.

To contribute to the GoFundMe for M&M Angel Service Dogs, visit <https://gofund.me/ca22856f>

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We're proud to work with Gilford's Golden Guardians in training service animals

Visit Their Website Here



Service Animals



Frequently Asked Questions

3. Do I qualify for a Service Animal?

The ADA defines an individual with a disability as “a person who has a physical or mental impairment that substantially limits one or more major life activities, a person who has a history or record of such impairment, or a person who is perceived by others as having such impairment.” Though this may seem like a broad definition, it does not limit the type of disability for which a Service Dog can be used. In addition, there is great flexibility with respect to the nature and severity of a person's physical or mental “disability.” The idea behind the law is that if you have any condition that makes it difficult to perform or limits an important life activity, you do qualify. The life activity might only be a problem during certain times, like dizziness, leading to balance problems, **low blood sugar** or seizures, to name a few examples.

AND...

7. What kinds of service dogs are there?

Service dogs are generally separated into three categories: guide dogs, hearing dogs, and service dogs (which are for disabilities other than blindness or deafness). There are many kinds of Service Dogs, almost as many as there are kinds of disabilities.

Some Service Dogs assist with mobility. For a physically disabled person, a Service Dog may pick up dropped items, open and close doors, and turn on lights, for example. Other Service Dogs assist with medical-related disabilities, such as neurological, developmental, psychiatric, and **diabetic disabilities**. Service Dogs vary in breed and in which tasks they are trained to provide. Larger dogs are used to pull wheel chairs, while smaller dogs might be more convenient for medical alert purposes. While there are several types of disability, a service animal is more likely to be mitigated by a properly trained Service Dog.

Committee Hearing Testimony: HB 1327, January 18, 2022

Good afternoon, thank you for taking the time to listen to us today. It is very much appreciated.

My name is Stacey Patterson-Gagnon, I am a resident of Pembroke NH.

About 8 years ago, I was not feeling too well, was tired, had blurred vision, and a good amount of fatigue. A good friend asked if I ever checked my blood sugar as she was a diabetic. She tested me, it came up 370. Very long story short, here I am at age 45 as a Type 1 diabetic. The most misunderstood disease, that is different for everyone who experiences it. There is no one way to treat it. As soon as you learn a pattern, another one comes around. Ever changing and hard to manage both physically and mentally.

About 3 years ago I was at my endocrinologist's office discussing that while I have a continuous glucose monitor, which I will define in just a minute, I was not feeling the fall of my blood sugar. Meaning that while most people believe that we spend most of our time treating high blood sugar with insulin, we also have to treat low blood sugar with sugar. Seems simple, right? It is not so easy to manage at that level.

A continuous glucose monitor is a medical device we use to get an idea of what our blood sugar might be. I say might because a CGM measures our blood sugar and displays it every 5 minutes. It is inserted into the abdomen or the back of the arm. It uses interstitial fluid to measure. While nothing is as accurate as blood, this is the technology some of us have available if we are lucky enough to have insurance to help with the cost. These devices, while accurate, are not perfect. There are currently 4 versions available, only 2 work really well.

I wear this device, I wear an insulin pump as well. This is a device that slowly administers insulin into my abdomen. The pump and the monitor speak to each other. If my sugar is too high, there is a setting that will administer a little more insulin to make the correction for the high. If I am too low the pump will stop the flow of insulin. Sounds like a working pancreas. At least that is the concept behind these devices. However, like every other piece of technology, they come with

their own set of challenges. By challenges I mean that while they are a huge help, they can also be really off. Batteries die, transmitters are not seated properly, sensor pads fail, and the whole system can suddenly stop working. This is a fact that we live with everyday. An inconvenient and terrifying truth.

Getting back to my conversation with my Dr, I had mentioned that I was not feeling the low blood sugar anymore. That is a condition, it's called low unawareness. While i had only had Type 1 for about 5 years, I did not expect to already be able to not feel something considering how I felt had spurred me to realize there was something wrong. What this basically means is if my blood sugar is falling, I am not going to feel the warning signs of the dizziness, the blurry vision, and the literal feeling of falling. This can be dangerous because it could lead to a seizure, an injury, or even death. My Dr suggested looking into a service dog.

Not knowing too much about what that entails, I started doing research. The stats were horrifying regarding people buying dogs and them not being able to perform service tasks. I went through a few different trainers and settled on a trainer right here in NH named Mary Finlayson. After a few initial emails and phone calls, I was paired with a corgi, his name is Sawyer. Sawyer is a Cardigan Corgi. He and I have been training with Mary for the last 18 months. Mary has a very hands on style approach to training, It starts with public access training. Months of that lead to scent training. A swab with my scented saliva when my blood sugar is low is used for a sample. He seeks the scent. In the months that we have started working together as the scent training became more of a challenge for him, he can now catch the low as it is falling and not when it is already too dangerous. Overnight, at a BBQ, in a mall, and many other places, he alerts. He is about 85% accurate with his alerts. All of this getting here is a labour of love. Working with him since he was 7 months old has bonded us. The hundreds of hours both of us spent learning each other are some of the most rewarding of my life. To depend on this animal has become second nature.

When he started alerting me I told my employer that he was getting better and I would like to start bringing him into the office. Her response was a flat "no". I asked her why, she said she had many other things to deal with. An email was sent to her by me containing all of the rules and regulations regarding the ADA and service animals in the work place. She asked me for the following items:

- A letter from my Dr
- A letter from my trainer
- An intestinal parasite test
- Videos and pictures of Sawyer training
- Full disclosure of my whole health history

This took me by surprise as I thought that they could only ask about the Type 1 and how Sawyer helps. I provided all of the information in an email. A month went by, I asked if she needed anything else, she has mentioned that she forgot to get around to reading it. This was a fairly small eye care practice in NH. It took another month before I could bring him with me to work. I decided after almost 5 years, to leave that job as what I was seeing really bothered me.

I went to another job, asked for him to join me. Gave the owner the information for the disability right center of NH. He decided to ask his attorney. Another request for full disclosure of my complete health record. Allowed to bring him with the caveat that it would be a "trial basis".

Eventually he stayed for the duration of my employment there.

If you were to look at my resume, I stay at jobs for years. I find a place I like and stick with it for years. Have never changed jobs so much.

Currently I work at a sales position for a major corporation. They outsource reasonable accommodation requests to another firm. The paperwork looks familiar as it is asking all about my entire health history.

Before I was diagnosed all I knew of diabetes was it was all the same. Like another who doesn't have it, I was ignorant to all that goes to treating and caring for oneself.

On behalf of the 10% of diabetics that have to carry the burden of Type 1. On behalf of the parents of Type 1 diabetics that have to manage what they cannot feel, please add Type 1 diabetes to the statute.

On behalf of all NH citizens that have PTSD, Type 1 diabetes, blindness, epilepsy, cancer, autism, mobility issues, developmental disability and deafness, who has a service animal to make these conditions easier, please make possible a common sense onboarding process for service dogs for all disabilities to any employer in the state. We just want to work without worrying constantly that the hidden illness we had nothing to do with getting, will stop us from completing a work day.

Thank you for the opportunity to speak here today.

CHAPTER 167-D

SERVICE ANIMALS AND SEARCH AND RESCUE DOGS

Section 167-D:1

167-D:1 Definitions. –

As used in this chapter:

- I. "Housing accommodation" means any publicly assisted housing accommodation or any real property, or portion thereof, which is used or occupied, or is intended, arranged, or designed to be used or occupied, as the home, residence, or sleeping place of one or more persons, but shall not include any single family residence the occupants of which rent, lease, or furnish for compensation not more than one room therein.
 - II. "Public facility" means any place of public accommodation and any street, highway, sidewalk, walkway, public building, and any other place or structure to which the general public is regularly, normally, or customarily permitted or invited.
 - III. A "place of public accommodation" shall mean, but shall not be limited to, any tavern roadhouse, hotel, motel, or trailer camp, whether for entertainment of transient guests or accommodation of those seeking health, recreation, or rest; any producer, manufacturer, wholesaler, distributor, retail shop, store establishment, or concession dealing with goods or services of any kind; any restaurant, eating house, or place where food is sold for consumption on the premises; any place maintained for the sale of ice cream, ice, and fruit preparations or their derivatives, soda water or confections, or where any beverages of any kind are retailed for consumption on the premises; any garage; any public conveyance operated on land or water, or in the air, or any stations and terminals thereof; any bathhouse, boardwalk, or seashore accommodation; any auditorium, meeting place, or hall; any theatre, motion picture house, music hall, roof garden, skating rink, swimming pool, amusement and recreation park, fair, bowling alley, gymnasium, shooting gallery, billiard and pool parlor, or any other place of amusement; any comfort station; any dispensary, clinic, or hospital; any public library; any kindergarten, primary and secondary school, trade or business school, high school, academy, college and university, or any educational institution under the supervision of the state board of education, or the commissioner of education of the state of New Hampshire.
 - IV. "Service animal" means any dog individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability. Other species of animals, whether wild or domestic, trained or untrained, are not service animals for purposes of this definition.
 - V. "Service animal trainer" means any person who is employed to train dogs for or is volunteering to raise dogs for a provider of service animals for persons with disabilities or an individual trainer who helps a person with disabilities to train his or her own service animal or an individual trainer who tests an animal to verify its eligibility for the New Hampshire service animal tag.
 - VI. "Search and rescue dog" means any dog which has been trained to perform typical search and rescue operations and is certified by a competent authority or holds a title from a competent authority or organization recognized by the office of the governor, the department of safety, the department of fish and game, or the Federal Emergency Management Agency or its successor agency.
- Source.** 2011, 170:2, eff. Jan. 1, 2012. 2014, 66:3, eff. Jan. 1, 2015.

167-D:2 Service Animal Duties. –

- I. The work or tasks performed by a service animal shall be directly related to the handler's disability. Work and tasks may include, but is not limited to:
 - (a) Assisting individuals who are blind or have low vision with navigation and other tasks.
 - (b) Alerting individuals who are deaf or hard of hearing to the presence of people or sounds.
 - (c) Providing nonviolent protection or rescue work.
 - (d) Pulling a wheelchair.
 - (e) Assisting an individual during a seizure.
 - (f) Alerting individuals to the presence of allergens.
 - (g) Retrieving items such as medicine or a telephone.
 - (h) Providing physical support and assistance with balance and stability to individuals with mobility disabilities.
 - (i) Helping persons with psychiatric and neurological disability by preventing or interrupting impulsive or destructive behaviors.
 - II. The crime deterrent effect of an animal's presence and the provision of emotional support, well-being, comfort, or companionship does not constitute work or tasks for the purposes of this chapter.
- Source.** 2011, 170:2, eff. Jan. 1, 2012.

167-D:3 Private Clubs, Etc. – Nothing herein contained shall be construed to include or apply to any institution, bona fide club, or place of accommodation, which is in its nature distinctly private; nor shall anything herein contained apply to any educational facility operated or maintained by a bona fide religious or sectarian institution; and the right of a natural parent or one in loco parentis to direct the education and upbringing of a child under his or her control is hereby affirmed; nor shall anything herein contained be construed to bar any private secondary or postsecondary school from using good faith criteria other than race, creed, color, national origin, ancestry, or disability in admission of students.
Source. 2011, 170:2, eff. Jan. 1, 2012.

167-D:4 Service Animals May Accompany. – It is lawful for any service animal to accompany his or her handler or trainer into any public facility, housing accommodation, or place of public accommodation to which the general public is invited, subject only to the conditions and limitations established by law and applicable alike to all persons.
Source. 2011, 170:2, eff. Jan. 1, 2012.

167-D:5 Application of RSA 167-D:4 to Search and Rescue Dogs. – The provisions of RSA 167-D:4 shall also apply to dogs involved in search and rescue missions at the request of a government agency when such dogs are in the course of, or traveling to or from the scene of, their official duties.
Source. 2011, 170:2, eff. Jan. 1, 2012.

167-D:6 Service Animal Trainer. – A service animal trainer, while engaged in the actual training process and activities of such animals, shall have the same rights and privileges with respect to access to public facilities, and the same responsibilities as are applicable to persons with disabilities using a service animal.
Source. 2011, 170:2, eff. Jan. 1, 2012.

167-D:7 Licensing. – Service animals shall be licensed as provided in RSA 466.
Source. 2011, 170:2, eff. Jan. 1, 2012.

167-D:8 Prohibited Acts. –

- I. It is unlawful for a person, directly or indirectly, either to prohibit, hinder, or interfere with a service animal's handler or trainer who otherwise complies with the limitations applicable to persons without disabilities.
- II. It is unlawful for any person to fit an animal with a collar, leash, vest, sign, or harness of the type which represents that the animal is a service animal, or service animal tag issued under RSA 466:8 or to request a service animal tag issued under RSA 466:8 if in fact said animal is not a service animal.
- III. It is unlawful for any person to willfully interfere or attempt to interfere with a service animal.
- IV. It is unlawful for any person to represent that such person has a disability or is a service animal trainer for the purpose of acquiring a service animal unless said person has a disability or is a service animal trainer and to impersonate, by word or action, a person with a disability for the purpose of receiving service dog accommodations or service animal accessories such as a collar, leash, vest, sign, harness, or service animal tag, which represents that the animal is a service animal or to acquire a service animal tag issued under RSA 466:8.

Source. 2011, 170:2. 2012, 211:2, eff. Aug. 12, 2012. 2014, 66:1, eff. Jan. 1, 2015.

167-D:9 Nonuse of Service Animal. – A person with a disability not using a service animal in any of the places, accommodations, or conveyances listed in RSA 167-D shall have all of the rights and privileges conferred by law upon other persons; and the failure of a person with a disability to use a service animal in those places, accommodations, or conveyances shall not be held to constitute nor be evidence of contributory negligence.
Source. 2011, 170:2, eff. Jan. 1, 2012.

167-D:10 Penalty. –

- I. Any person violating any provision of this chapter shall be guilty of a misdemeanor and subject to enhanced penalties in paragraphs II and III.

This is a pretty simple bill, it just asks to include diabetes as a specific reason to use a service animal. New Hampshire law defines "service animal" as dogs that are individually trained to perform services or tasks. You should each have a copy of the RSA 167-D:1 and that definition is down under Roman IV. My constituent, Stacey Patterson-Gagnon who is here with her dog, Sawyer, asked me to file this bill because she did encounter some difficulty. She will testify shortly and describe that and her experiences living with diabetes. In addition to Stacey, our own U.S. Sen. Jeanne Shaheen's granddaughter Elle and her Mom Stefany are here to tell you about their wonderful dog, Coach and how he helped Elle learn to deal with diabetes. You may be familiar with the book Stefany wrote about their journey, "Elle & Coach".

I have also provided you with a partial printout from the Governor's Council on Disabilities, taken from their Frequently Asked Questions which explains the difference between comfort animals and genuine service animals. In Section 3, it states one of the services performed would be alerting to low blood sugar and in Section 7, it refers to the kinds of service dogs and notes - assisting with diabetic disabilities. And yet, diabetes is NOT specified in our statute! Mr. Saia from the Governor's Council is here to answer any questions you may have about these articles.

The next item I provided for you is for M&M Island Cruises. That may seem an oddity, but as you look at their mission statement, you will see that the owner/operator, Mr. Kevin Morris started these boat cruises with the idea to use some of the proceeds to provide service dogs for children with diabetes. This was done in memory of his daughter, Mandy who has passed from diabetes, but whose last years of life were made more livable by use of her service dog. Mr. Morris could not make it today, but I have enclosed a letter he has written about their experience. His contact to provide dogs is Gilford's Golden Guardians and Kaarla Weston is here from that service to testify and answer any questions you might have about the providing and training of these dogs.

I understand that there is often a concern that adding one more item to lists in the RSAs opens the door to many others being brought forward, however, I think the Crime determinant effect listed in 162-2, Roman II, just under our proposed addition "emotional support, well-being, comfort, or companionship" would not allow other more frivolous reasons to be added. I would also say to those that dogs have been found to be capable of amazing sensibilities in recent years – alerting to certain types of cancer and cardiac arrhythmias. I would hope this committee would be open to some of those possibilities in the future, but I also trust your wisdom to determine the worth of any new proposals. And I hope that you will agree that these diabetes alert dogs do perform a valuable service and deserve to be recognized in statute for their work.

In closing, I will tell you that there are approximately 97,000 diagnosed cases of diabetes in New Hampshire and we feel that using an alert dog would help many of them deal with their disease more easily and accurately. And just one more very unscientific reason to use one of these dogs: we are all aware that one of the major recommendations by health professionals for diabetics is to get regular exercise. And dogs need to be walked! Monitors make no such demand.

HB 1327



...for a life of service

1/13/2022

Gilford's Golden Guardians pairs puppies with people, primarily children, who have a confirmed diagnosed disability and who also have a health care practitioner's recommendation to use a service animal to optimize their health and wellness. In accordance with Titles II and III of the American with Disabilities Act (ADA), the service animals are individually trained and taught alerts and tasks to optimize the health, wellness and /or independence of their handler. Each training is tailored to meet the handler's needs and ensures the dog is able to alert or perform the specified tasks.

The federal definition of service animal is broad and emphasizes the animal performing tasks and or alerts. Its intent is to provide examples but not an exhaustive list of the possible types of assistance provided by the service animal. New Hampshire has indicated only dogs will meet the definition of service animal.

A number of dogs assist citizens in NH by providing an alert for low and or high blood sugar. These citizens have Type 1 or Type 2 diabetes. Gilford's Golden Guardians specializes in training service dogs for youth handlers so that they may benefit from a swift indication that their blood sugar needs to be addressed. In some situations that may be needing sugar and in other cases that may be needing insulin. Sadly, mismanaged or unmanaged diabetes can result in stroke, seizure and in some cases death. Our service dogs are able to respond and give their handler an indication that their scent is changing in their bodies and thus their blood sugar must be addressed.

We encourage all of our handlers to have the appropriate medication, technology (Dexcom meter) and to consider a service animal for the most comprehensive supports to manage Diabetes. As such, we would support the NH definition of service animal to include Diabetic Alert Dogs. We work every day to enhance the lives of citizens in NH by using highly skilled dogs. Diabetic alert is just one of many ways that our dogs are saving lives.

Thank you for your consideration. Please visit our website: www.gilfordsgoldenguardians.com

Kaarla Weston

Owner of Gilford's Golden Guardians, LLC



New Hampshire Governor's Commission on Disability

Christopher T. Sununu, Governor
Paul Van Blarigan, Chair
Charles J. Saia, Executive Director

January 18, 2022

Representative Mark Pearson, Chair
House Health, Human Services & Elderly Affairs
Legislative Office Building
33 North State Street
Concord, New Hampshire 03301

Re: HB 1327, AN ACT including diabetes in the conditions listed for eligibility for a service animal.

Dear Mr. Chair and Representatives of House Health, Human Services & Elderly Affairs
Committee,

At the request of Representative Dianne Schuett, and on behalf of the Governor's Commission on Disability (GCD), I have reviewed HB 1327, an Act including diabetes in the conditions listed for eligibility for a service animal. HB 1327 seeks to add "alerting individuals with diabetes to a change in blood sugar levels", to the list of service animal duties codified in RSA 167-D:2.

According to the Americans with Disabilities Act (ADA), a service animal is a dog specifically trained to perform a task directly related to a person's disability. NH RSA 167-D:1 IV defines a service animal consistent with the ADA.

It is my understanding that HB 1327 has been proposed to seek clarification and to make it easier for individuals with diabetes when encountering questions relative to service animals which are able to detect change in blood sugar levels. As there is consistency with the ADA, NH RSA 167-D, and to generally make life easier for individuals with a disability, the passage of HB 1327 would be a benefit to the community.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Charles J. Saia".

Charles J. Saia
Executive Director

Committee Hearing Testimony: HB 1327, January 18, 2022

My name is Katelyn Gagnon, and I live in Pembroke, New Hampshire. Thank you for hearing us speak on behalf of this bill today. While I do not require a Diabetic Alert Dog, I do have a service animal for a separate disability. This means I know how difficult it is to need a living medical device around people who don't understand their purpose.

I am also the spouse of a Type 1 Diabetic with a service dog. She is the reason I am here today. My wife suffers from something called "low unawareness." This means she no longer feels when her blood sugar is dropping. This can be dangerous as it can cause her to seize, have permanent nerve damage, or even die if a low blood sugar is left untreated. I've spent years watching her try to mitigate her disease with insulin, diet, and glucose monitors alone. The problem is that technology is imperfect, and it's often wrong or too slow to react and alert her to a rapidly dropping blood sugar in time.

One day, her Endocrinologist said, "It's time to get a Service Dog." After years of worrying about my wife's blood glucose dropping when she's alone, it was a relief to discover there was an answer: A Diabetic Alert Dog. My wife spent months researching trainers and programs, interviewing with trainers, and meeting different dogs to find the right fit. The Granite State Service Dogs program has been a true life saver. Since matching with her dog Sawyer and extensively working on scent and public access training, my wife is able to go about her day with the comfort of knowing that even if she doesn't feel herself dropping or even if her technology fails her, her dog is almost always able to notify her before the situation becomes dangerous.

We are asking that diabetes be added to the state statute as an additional protection for people like my wife. Federal laws can be changed. It is important that the State of New Hampshire protects its citizen's right to a Service Dog.

Additionally, employers in this state aren't always aware of the ADA regulations. It has been very difficult for my wife to have Sawyer with her when switching jobs. The more protections and information out there, the better it is for people in my wife's position. It can take months for a Reasonable Accommodation request for a service dog to go through. She's often been told, "Well, so and so has diabetes and doesn't need a dog so you really don't either." That's not acceptable or safe for the individual who needs the service animal.

I respectfully ask that you seriously consider adding Diabetes to the New Hampshire Service Dog Statute to protect the rights of Granite State residents suffering from this disease. Thank you for your time.

HB 1327 - AS INTRODUCED

2022 SESSION

22-2435

08/05

HOUSE BILL **1327**

AN ACT including diabetes in the conditions listed for eligibility for a service animal.

SPONSORS: Rep. Schuett, Merr. 20; Rep. Moffett, Merr. 9; Rep. Sullivan, Sull. 1; Rep. Graham, Hills. 7; Rep. Goley, Hills. 8; Rep. Rogers, Merr. 28; Rep. Booras, Hills. 33; Sen. Whitley, Dist 15; Sen. Carson, Dist 14

COMMITTEE: Health, Human Services and Elderly Affairs

ANALYSIS

This bill includes diabetes in the conditions listed for eligibility for a service animal.

Explanation: Matter added to current law appears in ***bold italics***.
Matter removed from current law appears ~~[in brackets and struckthrough.]~~
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Two

AN ACT including diabetes in the conditions listed for eligibility for a service animal.

Be it Enacted by the Senate and House of Representatives in General Court convened:

- 1 1 New Subparagraph; Service Animal Duties; Diabetes Included. Amend RSA 167-D:2, I by
- 2 inserting after subparagraph (i) the following new subparagraph:
- 3 (j) Alerting individuals with diabetes to a change in blood sugar levels.
- 4 2 Effective Date. This act shall take effect 60 days after its passage.