



Emotional Support Animals and Service Animals: Important Information for Patients

Understanding the Difference: Emotional Support Animal vs. Psychiatric Service Animal

Emotional Support Animals (ESAs) are animals whose mere presence provides comfort to a person with a mental or emotional condition. ESAs **do not require any specialized training** to perform tasks. Their role is simply to alleviate symptoms through companionship.

In contrast, a **psychiatric service animal** (most often a dog) is **individually trained** to perform specific tasks or work that help mitigate the effects of a psychiatric disability. For example, a psychiatric service dog may be trained to remind an individual to take medication, interrupt self-harming behaviors, or guide the person during episodes of disorientation.

This distinction is critical because:

- Under the **Americans with Disabilities Act (ADA)**, only trained service animals have broad public access rights (e.g., entering restaurants, stores, airplanes).
- ESAs do **not** have the same access rights. They are considered a reasonable accommodation **only** in specific settings, primarily housing under the **Fair Housing Act (FHA)**.
- Psychiatric service animals are recognized as a form of disability accommodation based on their training and functional role, not merely their presence [1][2].

Legal Requirements in Florida

In 2020, the State of Florida enacted **Senate Bill 1084**, which introduced stricter requirements for issuing ESA letters [3].

Key provisions of this law include:

- A healthcare practitioner must have **personal knowledge** of the individual's disability, based on a **therapeutic relationship established in the course of professional practice**.
- The practitioner must conduct a **thorough evaluation** to determine whether the patient has a mental or emotional impairment that substantially limits at least one major life activity.

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- It is unlawful to issue a certificate based solely on a brief consultation or an online questionnaire.
- Practitioners who provide ESA documentation **without meeting these requirements** risk professional discipline by the Florida Department of Health and potential criminal penalties.

In other words, an ESA letter is **not a routine note**. It is a legal attestation of a disability-related need, and it must be based on a documented clinical assessment that meets state and federal criteria [3][4].

Professional Guidelines and Ethical Considerations

Multiple professional organizations have published guidance emphasizing caution in issuing ESA certifications:

- The **American Psychological Association (APA)** notes that evidence supporting the clinical effectiveness of ESAs is **limited and inconclusive**. While many patients experience comfort, this alone does not establish that the animal is medically necessary [5].
 - The **National Register of Health Service Psychologists** and **The Trust** highlight that writing an ESA letter involves assuming a **quasi-forensic role**, which can create a **dual relationship** if the psychologist is also providing therapy [6].
 - These guidelines recommend that practitioners only issue ESA documentation if they have:
 - An established therapeutic relationship,
 - Objective evidence supporting the diagnosis of a psychiatric disability,
 - Documentation that other standard treatments were considered or attempted,
 - A clear rationale explaining why the animal is necessary as part of the treatment plan[5][6][7].
 - Providers are also advised to maintain thorough records of the evaluation process and to consider referring patients to an independent evaluator with experience in disability determinations [7].
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My Practice Policy

I no longer provide ESA documentation. I previously offered disability evaluations but discontinued this part of my practice in 2020 when I transitioned fully to telehealth.

I understand that some patients feel an ESA may be beneficial. However, given the legal requirements and professional standards described above, any request for such certification requires a **formal evaluation of disability**, conducted by a qualified psychologist or psychiatrist trained in this area.

If you wish to pursue an ESA letter, you will need to identify a professional who provides **independent disability assessments**. This is often referred to as an **evaluation for disability accommodation** or a **forensic assessment**.

Emotional Support Animals Letters, cont.

References

1. U.S. Department of Justice. (2010). *ADA Requirements: Service Animals*.
2. U.S. Department of Housing and Urban Development. (2020). *Assistance Animals Notice: FHEO-2020-01*.
3. Florida Senate Bill 1084 (2020). *Emotional Support Animals*.
4. Seyfarth Shaw LLP. (2020). *Florida Enacts Law to Combat Emotional Support Animal Fraud in Housing*.
5. American Psychological Association. (2018). *Resource Document on Emotional Support Animals*.
6. The Trust. (2016). *Risk Management Considerations: Emotional Support Animals*.
7. Younggren, J. et al. (2016). *Examining Emotional Support Animals and Role Conflicts in Professional Psychology*. *Professional Psychology: Research and Practice*, 47(4), 255–260.