

Approved 2-7-89
Date

MINUTES OF THE SENATE COMMITTEE ON PUBLIC HEALTH AND WELFARE

The meeting was called to order by SENATOR ROY M. EHRLICH at
Chairperson

10:00 a.m./p.m. on January 25, 1989 in room 526-S of the Capitol.

All members were present except:

Committee staff present:

Emalene Correll, Legislative Research
Bill Wolff, Legislative Research
Clarene Wilms, Committee Secretary

Conferees appearing before the committee:

Phyllis Burdge, Hays, Kansas
Mike Oxford, Department of Human Resources, Kansas Advisory Committee
on Employment of Handicapped
Gabe Faimon, Commissioner, Rehabilitation Services, SRS
Ray Petty, Executive Director, Topeka Handicapped Resource Center
Senator Jerry Moran, sponsor of Senate Bill 36

Senator Hayden introduced his pages from Garden City, Matt Lucas and Kelly Dugan.

Phyllis Burdge appeared and presented written testimony in support of SB-36. (Attachment 1) Ms. Burdge stated that by using a support dog she could live an active and productive life and was able to live independently. She related the training received by both herself and the support dog and told the committee of the various services the support dog performs. Ms. Burdge urged passage of SB-36 which would grant rights to herself and her support dog such as those afforded dogs of the blind and hearing impaired.

Mike Oxford appeared in support of SB-36 and presented written testimony. (Attachment 2) Mr. Oxford stated this bill would make the law consistent for all people with different disabilities. He further stated that the dogs are highly trained and few in number but passage of SB-36 would make a very significant impact for those whose personal needs make use of such animals.

Gabe Faimon appeared before the committee in support of SB-36 and presented written testimony. (Attachment 3) Mr. Faimon stated that SRS recommended adoption of SB-36 which would permit support dogs the same privileges as guide dogs for the blind and hearing dogs for the hearing impaired.

Ray Petty, Executive Director of the Topeka Handicapped Resource Center appeared in support of SB-36 stating that dogs trained to assist the blind, hearing impaired and those with disabilities were well trained and, to his knowledge, had never exhibited behavior problems.

Senator Moran spoke to the committee in support of SB-36 stating he felt the Legislators had a responsibility to the people of Kansas to aid them in their efforts to be independent.

Following a brief discussion Senator Salisbury moved, with a second by Senator Langworthy, that Senate Bill 36 be passed out favorable for passage. The motion carried.

The meeting adjourned at 10:38 p.m. and will convene at 10:00 a.m. Thursday, January 26, 1989 in room 526-S.

SENATE
PUBLIC HEALTH AND WELFARE COMMITTEE

DATE January 25, 1989

(PLEASE PRINT)
NAME AND ADDRESS

ORGANIZATION

ALYN O LUCKNER DOCKING ROOM SRS

GABE FRIMON SRS

RAY PETTY TOPEKA TOPEKA IND LIV. RESIDENCE CENTER

BEN COAKS TOPEKA SRS

ED SCHAUB TOPEKA M'GILL & ASSOCIATES

Blank lines for additional entries.



Providing trained dogs to aid the physically challenged toward greater independence.

**P.O. Box 966
St. Louis, MO 63044
(314) 487-2004
(314) 739-3317**

**Phyllis Burdge & Alex
Independent Living Specialist
(913) 625-2521 (V / TDD)
317 W. 13th
P.O. Box 1016
Hays, KS 67601**

Support dogs help to get people back into the community and the workforce. We need passage of Senate Bill #36 to guarantee full public access so that those of us using support dogs can be active and productive and lead ordinary lives.

Climbing stairways (for those who are ambulatory), opening heavy doors, getting up from a chair--activities most people take for granted--can become a daily struggle for people with physical disabilities. Even with wheelchairs, braces or other mechanical aids, people with limited use of their arms or legs are often forced to depend on assistance from others to negotiate these barriers. With the aid of specially trained support dogs, many handicapped individuals can achieve remarkable INDEPENDENCE and overcome everyday obstacles with CONFIDENCE and DIGNITY.

Support dogs are not placed with "helpless" people. They are placed with people who happen to have disabilities, and thereby special needs. The recipients themselves must be able to provide the general care of the dog such as feeding, grooming, harnessing, etc.

Support dogs augment the strengths of their partners and help to offset the weaknesses. Just as guide dogs for the blind offset the partners' visual impairments, and hearing assistance dogs offset hearing impairments, so support dogs offset their partners' physical impairments.

Support dogs are selected for the program according to strict standards concerning, among other things, temperament. They are highly trained over a two-year period. The program consists of canine selection, canine training, applicant processing, team selection, team training, and team follow-up.

PAWS FOR A CAUSE

*SPH/4W
1-25-89
Attachment 1*



Providing trained dogs to aid the physically challenged toward greater independence.

**P.O. Box 966
St. Louis, MO 63044
(314) 487-2004
(314) 739-3317**

Some disabilities are relatively stable. Some are not. My condition is one of remissions and exacerbations. It is presently out of remission, or in an unstable state. Because of Alex I have been able to continue working throughout this (3 month) period of instability and remain independent.

Fatigue is always a problem and during an exacerbation it is a major one. Before Alex, fatigue did as much if not more toward limiting my activities than did paralysis and muscle weakness. I could perform many of the same tasks I could before my disability, but the energy toll was devastating. As a result I was unable to work full time or be truly active and productive. Now, Alex can perform the majority of those energy-robbing tasks and my strength can be saved for more important things.

Because of Alex I am able to live independently and contribute to my community. I work full time. I shop. I have an effective, living tool for independence in Alex; he opens many doors for me. I need the passage of Senate Bill #36 in order to keep those doors open.

I was denied access to a restaurant because my dog is not a seeing eye dog; the law did not cover support dogs. I was told that Alex would have to stay outside but that restaurant employees could push me to the table and see that I had everything I needed. First of all, it was over 100° outside and I wasn't about to leave a living thing in a car, nor was I about to tie an \$8000 animal in the shade and leave him unattended. Secondly, Alex is trained to provide safe, effective assistance; restaurant employees are not.

This incident effectively curtailed the independence Alex is capable of providing me. Revision of the law is necessary.

A brief word about cleanliness and deportment: Alex is my lifeline to the world. It is in my best interest then to keep him in top condition, parasite free, clean and healthy. It is also in my best interest to maintain the high degree of obedience skills with which he "graduated." I literally entrust my safety to him every time I use him to transfer.

PAWS FOR A CAUSE



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Alex retrieves objects I drop. Keys, coins, pens, shoes, anything from a dime to a briefcase. He will pick up the cordless telephone, a gallon jug of laundry detergent, etc.

He pulls my wheelchair over long distances and up steep inclines.

He loads the wheelchair into my two-door car. This constitutes a major energy saving for me.

He opens and holds mall-type doors.

He stands and braces while I transfer from my chair onto another surface. This stand-and-brace maneuver is invaluable such times as I fall from my chair or other surface. It is also invaluable when I must make use of inaccessible restroom facilities--Alex turns an impossible situation into a possible one. Not only that, but he does it in such a way that neither of us gets hurt; I can't always say that of impromptu human assistance.

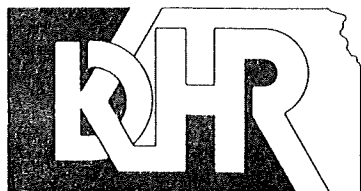
Alex is a living tool for independence. He cannot be turned off or placed on a shelf. We are a team. We function as a team. And the bottom line is without him I cannot function productively.

Some 30 states have addressed the need to revise laws giving full public access to support dogs. I urge the passage of Senate Bill #36.

PAWS FOR A CAUSE

KANSAS

DEPARTMENT OF HUMAN RESOURCES



ADVISORY COMMITTEE ON EMPLOYMENT OF THE HANDICAPPED

1430 S.W. Topeka Boulevard, Topeka, Kansas 66612-1877
913-296-1722 (Voice) • 913-296-5044 (TDD) • 561-1722 (KANS-A-N)

Mike Hayden, Governor

Dennis R. Taylor, Secretary

January 25, 1989

To: Members of the Senate Committee on Public Health and Welfare

From: Mike Oxford
Legislative liaison

Subject: Senate Bill # 36 (Support Dogs)

Our committee supports Senate Bill 36. It reaffirms the intent of K.S.A. 39-1101 to encourage people with disabilities to participate fully in the economic and social life of the state. People with disabilities have the same right as anyone else to enjoy full and free use of sidewalks, public buildings and facilities including hotels, restaurants, stores and so on.

Furthermore, people who are blind or visually impaired are allowed to make use of guide dogs and people who are deaf or hearing impaired are allowed to avail themselves of hearing assistance dogs. This bill will make the law consistent for all people with different disabilities.

There are not a large number of people from any disability group who use dogs for assistance. The dogs are few in number, highly trained and, therefore, quite expensive. On a large scale, this bill will have a small impact. On an individual scale, however, SB 36 will have a very significant impact for those whose personal needs make the use of such animals necessary.

Thank you for your time.

ws:a:sb36

SPH/W
1-25-89
Attachment 2

Department of Social and Rehabilitation Services

Winston Barton - Secretary

State Regarding: Senate Bill No. 36

Title: An Act relating to persons with physical disabilities; concerning the use of support dogs; amending K.S.A. 39-1103 and repealing the existing section.

Purpose: This bill will allow support dogs for the physically disabled the same public access as guide dogs for the blind.

Background: At present, an individual with a physical disability using a support dog can be denied entry to public facilities such as restaurants, theatres, grocery stores, etc. The traditional guide dog for the blind now has counterparts such as the hearing dog for the deaf and the support dog for persons with physical disabilities.

Effect of Passage: Service dogs, including the support dog, serve as an independent living tool - to assist persons with disabilities to function more independently in their home and community. Persons who can function more independently in their home and community are less reliant on public transfer payments to maintain their livelihood. The use of service dogs also enhances the quality of life for persons with disabilities. For example, it allows a person who is in a wheel chair to have help in picking up a cookie which is dropped on the floor, for the dog does not eat the cookie nor slobber on it.

Recommendation: The Department of Social and Rehabilitation Services recommends adoption of Senate Bill No. 36.

For more information contact:
Commissioner Gabe Faimon
296-3911

*SP4/W
1-25-89
Attachment 3*