

SENATE BILL 90

P1

0lr0924

(PRE-FILED)

By: **Senator Simonaire**

Requested: October 15, 2019

Introduced and read first time: January 8, 2020

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Maryland Veterans Service Animal Program – Definitions**

3 FOR the purpose of defining the terms “service dog”, “support dog”, and “therapy horse” for
4 the purposes of the provisions of law governing the Maryland Veterans Service
5 Animal Program in the Department of Veterans Affairs; and generally relating to
6 the Maryland Veterans Service Animal Program in the Department of Veterans
7 Affairs.

8 BY repealing and reenacting, with amendments,
9 Article – State Government
10 Section 9–957
11 Annotated Code of Maryland
12 (2014 Replacement Volume and 2019 Supplement)

13 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
14 That the Laws of Maryland read as follows:

15 **Article – State Government**

16 9–957.

17 (a) (1) In this section the following words have the meanings indicated.

18 (2) “Eligible veteran” means an individual who:

19 (i) served on active duty in:

20 1. the armed forces of the United States;

21 2. the National Guard; or

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1
2 States; 3. a reserve component of the armed forces of the United

3 (ii) served in a capacity other than for training;

4 (iii) was discharged or released under conditions other than
5 dishonorable; and

6 (iv) 1. is a resident of the State; or

7 2. receives treatment or care from a U.S. Department of
8 Veterans Affairs or U.S. Department of Defense medical facility in the State.

9 (3) “Fund” means the Maryland Veterans Service Animal Program Fund
10 established under subsection (f) of this section.

11 (4) “Nonprofit training entity” means a corporation, a foundation, or any
12 other legal entity that:

13 (i) is qualified under § 501(c)(3) of the Internal Revenue Code;

14 (ii) 1. engages in the training of service dogs or support dogs for
15 use by veterans; or

16 2. uses trained therapy horses for interaction with veterans;
17 and

18 (iii) has been selected by the Department to provide services under
19 this section.

20 (5) “Program” means the Maryland Veterans Service Animal Program
21 established under subsection (b) of this section.

22 (6) “Program participant” means an eligible veteran who participates in
23 the Program.

24 (7) **“SERVICE DOG” MEANS A DOG THAT IS INDIVIDUALLY TRAINED TO**
25 **DO WORK OR PERFORM TASKS FOR THE BENEFIT OF AN INDIVIDUAL WITH A**
26 **DISABILITY, INCLUDING PHYSICAL, SENSORY, PSYCHIATRIC, INTELLECTUAL, OR**
27 **OTHER MENTAL DISABILITY.**

28 (8) “Successful Program participant” means a Program participant who
29 successfully completes the training or therapy protocol specified by a nonprofit training
30 entity.

1 **(9) “SUPPORT DOG” MEANS A DOG THAT SERVES AS AN EMOTIONAL**
2 **SUPPORT OR THERAPY ANIMAL THAT A MEDICAL PROFESSIONAL, WITHIN THE**
3 **MEDICAL PROFESSIONAL’S SCOPE OF PRACTICE, HAS DETERMINED PROVIDES**
4 **BENEFIT FOR AN INDIVIDUAL WITH A SENSORY, PSYCHIATRIC, INTELLECTUAL, OR**
5 **OTHER MENTAL DISABILITY.**

6 **(10) “THERAPY HORSE” INCLUDES A HORSE TRAINED FOR**
7 **INTERACTIONS WITH VETERANS BY A PROFESSIONALLY ACCREDITED EQUINE**
8 **THERAPY PROGRAM.**

9 (b) There is a Maryland Veterans Service Animal Program in the Department.

10 (c) The purposes of the Program are to:

11 (1) refer eligible veterans who inquire about participation in the Program
12 to one or more nonprofit training entities;

13 (2) provide additional funding mechanisms to assist veterans participating
14 in the Program;

15 (3) encourage successful Program participants to assist in outreach and
16 referral of other eligible veterans who could benefit from participation in the Program;

17 (4) assist in the reduction of the Maryland veteran suicide rate; and

18 (5) identify potential capital projects and services to facilitate more
19 services for veterans in the State.

20 (d) (1) The Department shall select at least one nonprofit training entity to:

21 (i) implement a training or therapy protocol for the purposes of the
22 Program that will teach each Program participant methodologies, strategies, and
23 techniques for:

24 1. partnering with service dogs or support dogs; or

25 2. interacting with therapy horses;

26 (ii) select qualified Program participants from those eligible
27 veterans referred to the nonprofit entity under the Program;

28 (iii) select an appropriate service dog, support dog, or therapy horse,
29 as applicable, for each Program participant;

30 (iv) facilitate each Program participant’s training or therapy using
31 the nonprofit training entity’s training or therapy protocol; and

1 (v) unless the nonprofit training entity uses trained therapy horses,
2 partner each successful Program participant with the service dog or support dog on the
3 Program participant's successful completion of the nonprofit training entity's training
4 protocol.

5 (2) To be eligible for selection under paragraph (1) of this subsection, a
6 nonprofit entity must:

7 (i) be based in the State;

8 (ii) serve the needs of the veteran population in the State; and

9 (iii) generate its own revenue and reinvest the proceeds of that
10 revenue in the growth and development of its programs.

11 (e) (1) A nonprofit training entity may disqualify a Program participant from
12 participation in the Program if the nonprofit training entity determines that the Program
13 participant's involvement in the Program:

14 (i) presents a danger to the Program participant's mental or
15 physical well-being;

16 (ii) has caused or may potentially cause harm to others, an animal,
17 or property;

18 (iii) presents a danger to the service dog's, support dog's, or therapy
19 horse's mental or physical well-being; or

20 (iv) does not meet the training requirement of the nonprofit.

21 (2) A Program participant may discontinue involvement in the Program for
22 any reason.

23 (f) (1) There is a Maryland Veterans Service Animal Program Fund.

24 (2) The Department shall use revenue from the Fund to pay a nonprofit
25 training entity.

26 (3) Revenue from the Fund may be used only to pay:

27 (i) a nonprofit training entity; and

28 (ii) administrative costs of the Program.

29 (4) The Secretary, or the Secretary's designee, shall administer the Fund.

1 (5) (i) The Fund is a special, nonlapsing fund that is not subject to §
2 7–302 of the State Finance and Procurement Article.

3 (ii) The State Treasurer shall hold the Fund separately, and the
4 Comptroller shall account for the Fund.

5 (6) The Fund consists of:

6 (i) revenue collected by the Department in the form of donations to
7 the Program;

8 (ii) money appropriated in the State budget to the Fund; and

9 (iii) any other money from any other source accepted for the benefit
10 of the Fund.

11 (7) The State Treasurer shall invest the money of the Fund in the same
12 manner as other State money may be invested.

13 (8) Any interest earnings of the Fund shall be credited to the General Fund
14 of the State.

15 (9) Expenditures from the Fund may be made only in accordance with the
16 State budget.

17 (10) Money expended from the Fund is supplemental to and is not intended
18 to take the place of funding that otherwise would be appropriated for the Program.

19 (g) (1) For the purpose of implementing this section, the Department may
20 accept gifts or grants for donation to the Fund.

21 (2) On or before October 1, 2018, and each October 1 thereafter, the
22 Department shall post and maintain on its website a list containing the names of all
23 persons who have donated to the Fund in the previous year and have authorized the
24 Department to publish their names on its website.

25 (h) The Department shall adopt regulations to implement this section, including
26 regulations establishing procedures for the Department to:

27 (1) promote the Program to eligible veterans through the Department's
28 outreach methods;

29 (2) refer eligible veterans to selected nonprofit entities;

30 (3) receive donations for the Fund through a link placed in a prominent
31 location on the Department's website; and

1 (4) use revenue from the Fund to pay selected nonprofit entities for services
2 that are provided through the Program.

3 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
4 October 1, 2020.