



BILL: SB 37

POSITION: FAV – Favorable

COMMITTEE: Health

HEARING DATE: March 24, 2026

SUBMITTED BY: Maryland Department of Disabilities
217 East Redwood Street, Suite 1300, Baltimore, MD 21202

Dear Chair Bagnall, Vice Chair Cullison, and Committee Members,,

The Maryland Department of Disabilities (MDOD) offers this letter of support for **SB 37, Maryland Service Animal Programs - Participant Disqualification – Revision**. This bill amends existing provisions in Maryland’s service animal programs that allow for the disqualification of individuals who pose a direct threat to the safety or well-being of the staff or the service animals. SB 37 ties the criteria for disqualification to the definition of “direct threat” as it is defined in the Americans with Disabilities Act (ADA).

Public entities are not required by the ADA to allow an individual to participate in its programs if that individual poses a direct threat to the health or safety of others. Regulations at 29 C.F.R. § 35.139 specify that to determine if a direct threat exists, the public entity must conduct an individualized assessment. This assessment must be based on reasonable judgment and objective evidence (including current medical knowledge) to evaluate:

- The nature, duration, and severity of the risk;
- The probability that a potential injury will occur; and
- Whether the risk can be mitigated by reasonable modifications to policies or the provision of auxiliary aids or service.

This language is intended to support the rights of people with disabilities, while also allowing programs to take appropriate steps to protect the participants, staff, and service animals. SB 37 will ensure this standard is consistent across all service animal programs.

For these reasons MDOD respectfully requests a **favorable report** for **SB 37**.

Sincerely,

A handwritten signature in black ink that reads "Carol A. Beatty".

Carol A. Beatty
Secretary, Department of Disabilities