



Senate Agriculture and Veterans Affairs
SB 2193
January 23, 2023

My name is Kirsten Dvorak, and I am the Executive Director of The Arc of North Dakota, the oldest statewide disability advocacy organization. I am here today to share concerns about this bill, which may have unintended impacts on individuals with disabilities and those who support them.

While the bill seeks to address the misuse of assistance animals, it could inadvertently create challenges for individuals with legitimate needs. Specifically, I would like to highlight the following points:

The bill introduces specific conditions for healthcare providers before issuing documentation for assistance animals. For individuals in rural or underserved areas, accessing a licensed healthcare provider for multiple sessions within a specified time frame can be challenging. This issue is further compounded for individuals with rare and complex medical needs, who may already face significant hurdles in accessing specialized care. Such delays could critically impact those who rely on assistance animals for daily functioning.

While the bill states it does not modify federal protections under the Fair Housing Act and the Americans with Disabilities Act, the additional documentation requirements could inadvertently discourage landlords and property managers from accommodating assistance animals. This could potentially complicate the process for individuals seeking accommodations.

The distinction between assistance animals and service animals may lead to misunderstanding or stigma. Clear and consistent messaging will help ensure that the intent and application of the law are well understood.

In conclusion, addressing fraudulent claims related to assistance animals is essential, especially given the prevalence of falsified documentation, such as certificates obtained through the Internet without proper verification. However, the measures outlined in Senate Bill No. 2193 could be refined to better balance accountability with accessibility and fairness for those with legitimate needs. I respectfully recommend that the committee consider adjustments to the bill to address these concerns.

Thank you for your time and consideration. I am happy to answer any questions the committee may have.

Sincerely,
Kirsten Dvorak
Executive Director, The Arc of North Dakota