

1  
2  
3  
4  
5  
6  
7  
8  
9  
  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20

H.622

Introduced by Representative Morrissey of Bennington

Referred to Committee on

Date:

Subject: Professions and occupations; Office of Professional Regulation;  
service dogs; training; licensure and regulation

Statement of purpose of bill as introduced: This bill proposes to require the  
Office of Professional Regulation to license service dog trainers that provide  
service dog training services to individuals with a disability.

An act relating to service dog training

It is hereby enacted by the General Assembly of the State of Vermont:

Sec. 1. 3 V.S.A. § 122 is amended to read:

§ 122. OFFICE OF PROFESSIONAL REGULATION

The Office of Professional Regulation is created within the Office of the  
Secretary of State. The Office shall have a director who shall be qualified by  
education and professional experience to perform the duties of the position.

The Director of the Office of Professional Regulation shall be a classified  
position with the Office of the Secretary of State. The following boards or  
professions are attached to the Office of Professional Regulation:

\* \* \*

1                   (51) Service dog trainers

2           Sec. 2. 3 V.S.A. § 125 is amended to read:

3           § 125. FEES

4   \* \* \*

5           (b) Unless otherwise provided by law, the following fees shall apply to all  
6 professions regulated by the Director in consultation with advisor appointees  
7 under Title 26:

8   \* \* \*

9                   (4) Biennial renewal, \$240.00, except biennial renewal for:

10   \* \* \*

11                               (T) Service dog trainer, \$150.00.

12   \* \* \*

13           Sec. 3. 26 V.S.A. chapter 111 is added to read:

14   CHAPTER 111. SERVICE DOG TRAINERS

15                   § 6101. DEFINITIONS

16                   As used in this chapter:

17                   (1) “Client” means an individual with a disability who is receiving  
18 service dog training services.

19                   (2) “Director” means the Director of Professional Regulation.

20                   (3) “License” means a current authorization granted by the Director  
21 permitting a person to train service dogs in accordance with this subchapter.

1           (4) “Office” means the Office of Professional Regulation.

2           (5) “Service dog” means any dog that is individually trained to do work  
3 or perform tasks for the benefit of an individual with a disability, including a  
4 physical, sensory, psychiatric, intellectual, or other mental condition. The  
5 work or tasks performed by a service dog must be directly related to the  
6 individual’s disability.

7           (6) “Service dog trainer” means a person licensed to train service dogs  
8 pursuant to this subchapter.

9           § 6102. DUTIES OF DIRECTOR

10          (a) Generally. The Director shall:

11           (1) provide general information to applicants for registration as a service  
12 dog trainer;

13           (2) receive applications for registration and provide registrations to  
14 applicants qualified under this chapter;

15           (3) administer fees as established by law;

16           (4) refer all disciplinary matters to an administrative law officer;

17           (5) explain appeal procedures to applicants and registrants; and

18           (6) explain complaint procedures to the public.

19          (b) Rules. The Director may adopt rules as necessary to perform the  
20 Director’s duties under this chapter.

1     § 6103. ADVISOR APPOINTEES

2           (a) The Secretary of State shall appoint two individuals to serve as advisors  
3     in matters related to service dog training. Each advisor shall be familiar with  
4     the training of service dogs and at least one advisor shall be an individual  
5     registered under this chapter who has been actively engaged in the training of  
6     service dogs for the three-year period immediately preceding appointment and  
7     during the advisor's incumbency. The advisor appointees shall be appointed  
8     for staggered five-year terms and shall serve at the pleasure of the Secretary.  
9     One of the initial appointments shall be for less than a five-year term.

10          (b) The Director shall seek the advice of the advisors appointed under this  
11     section in carrying out the provisions of this chapter. The advisors shall be  
12     entitled to compensation and necessary expenses in the amount provided in  
13     32 V.S.A. § 1010 for attendance at any meeting called by the Director for this  
14     purpose.

15     § 6104. LICENSURE; QUALIFICATIONS

16           To be eligible for a license as a service dog trainer, an applicant shall  
17     complete and submit an application upon a form and in the manner as the  
18     Director prescribes, accompanied by applicable fees, and evidence satisfactory  
19     to the Director that:

20           (1) the applicant is at least 18 years of age;

1           (2) the applicant has sufficient education, training, and experience that  
2           may be demonstrated by:

3                   (A) holding a Certified Professional Dog Trainer-Knowledge and  
4                   Skills Assessed (CPDT-KA) certification from the Certification Council of  
5                   Professional Dog Trainers;

6                   (B) completing a dog trainer program from an accredited university  
7                   or dog training school that requires a minimum of two years to complete and  
8                   includes an apprenticeship period;

9                   (C) performing 800 hours of dog training within two years of  
10                  application under the supervision of a professional dog trainer with a minimum  
11                  of three years' experience training service dogs; or

12                  (D) a minimum of five years of experience working as a military or  
13                  law enforcement dog handler;

14                  (3) the applicant has training in the following subject areas, which may  
15                  be shown by an attestation from a supervising dog trainer or a military or  
16                  police supervisor or commanding officer or by school transcript:

17                       (A) training on handling service dogs or working dogs, such as police  
18                       dogs;

19                       (B) comprehensive dog obedience training;

1           (C) specialized training to a service dog with respect to the  
2           performance of work or tasks that are directly related to an individual's  
3           disability and are for the benefit of the individual with a disability;

4           (D) specialized training to an individual with a disability with respect  
5           to the care and handling of a service dog; and

6           (E) integrating the training of a service dog with any medical and  
7           psychological treatment that an individual with a disability may be receiving;  
8           and

9           (4) the applicant is in good standing based on a review of the applicant's  
10          service dog trainer licensure history in other jurisdictions, including a review  
11          of any alleged misconduct or neglect in the practice of service dog training on  
12          the part of the applicant.

13          § 6105. SCOPE OF PRACTICE

14          (a) Service dog trainers train service dogs to perform specific work or tasks  
15          for an individual with a disability and provide education to clients regarding  
16          how to care for and handle their service dog. Service dog training is based on  
17          the unique needs of each client. The goals, objectives, and potential strategies  
18          employed in service dog training are appropriate for the client and their  
19          disability and should be developed in concert with any treatment or counseling  
20          that the client is receiving in relation to their disability. Service dog training  
21          shall include comprehensive dog obedience training and specialized training to

1 address a client's disability and related needs, and shall be of sufficient  
2 duration to result in proficiency and confidence on the part of both the service  
3 dog and the client. Service dog training shall also include ongoing support for  
4 the client and annual retesting and refresher training for the client and the  
5 client's service dog.

6 (b) The practice of service dog training does not include the screening,  
7 diagnosis, or assessment of any physical or mental condition.

8 (c) The practice of service dog training may include:

9 (1) Accepting referrals for service dog training services from medical,  
10 developmental, or mental health professionals. Before providing service dog  
11 training services to a client for a specific disability, the licensee shall review  
12 with the healthcare provider or providers involved in the client's care the  
13 client's diagnosis, treatment needs, and treatment plan. During the provision  
14 of service dog training services to a client, the licensee collaborates, as  
15 applicable, with the client's treatment team, including any physician,  
16 psychologist, licensed clinical social worker, or other healthcare or mental  
17 health professional.

18 (2) Developing an individualized service dog training plan for the client  
19 that is based upon an assessment of the client's disability and needs. The  
20 service dog training plan shall include individualized goals and objectives that  
21 focus on the identified needs of the client with respect to the client's disability

1 and specifies service dog training approaches to be used to address these goals  
2 and objectives.

3 (3) Implementing an individualized service dog training plan that is  
4 consistent with any other developmental, rehabilitative, habilitative, medical,  
5 mental health, preventive, wellness care, or educational services being  
6 provided to the client.

7 (4) Evaluating the service dog's and the client's response to the training  
8 program, documenting change and progress, and suggesting modifications, as  
9 appropriate.

10 (5) Developing a plan for determining when the provision of service dog  
11 training services is no longer needed in collaboration with the client, the  
12 client's treatment team, family members of the client, and any other  
13 appropriate person upon whom the client relies for support.

14 (6) Minimizing any barriers to ensure that the client receives service dog  
15 training services in the least restrictive environment.

16 (7) Collaborating with and educating the client and the client's family,  
17 or any other appropriate person, regarding the needs of the client that are being  
18 addressed by the service dog and the manner in which the service dog  
19 addresses those needs.



1     § 6106. PROFESSIONAL IDENTIFICATION

2           (a) A person holding a license as a service dog trainer in this State shall use  
3     the title “licensed service dog trainer.”

4           (b) A license issued under this chapter shall be conspicuously displayed for  
5     clients in the licensee’s principal place of business or employment, or  
6     otherwise shall be shown to clients when requested.

7     § 6107. EXEMPTIONS

8           Nothing in this subchapter shall be construed to prohibit or restrict the  
9     practice, services, or activities of the following:

10           (1) any individual who provides training to emotional support, therapy,  
11     comfort, or companion animals or general dog obedience training, provided the  
12     individual does not hold themselves out as a service dog trainer; or

13           (2) any individual who practices service dog training under the  
14     supervision of a licensed service dog trainer if the individual does not present  
15     themselves as a service dog trainer.

16     § 6108. RENEWAL

17           (a) Licenses shall be renewed every two years, on a schedule determined by  
18     the Director, upon payment of the renewal fee.

19           (b) Biennially, the Director shall provide notice to each licensee of license  
20     expiration and renewal requirements. Upon receipt of a complete and  
21     satisfactory renewal application and fee, the Director shall issue a new license.

1     § 6109. UNPROFESSIONAL CONDUCT

2           (a) Unprofessional conduct means the following conduct and the conduct  
3     set forth in 3 V.S.A. § 129a committed by a licensee, an applicant, or an  
4     individual who later becomes an applicant:

5           (1) making or causing to be made a false, fraudulent, or forged  
6     statement or representation in procuring or attempting to procure licensure or  
7     renew a license to practice under this chapter;

8           (2) using dishonest or misleading advertising;

9           (3) misusing a title in professional activity;

10          (4) harassing, intimidating, or abusing a client;

11          (5) practicing outside or beyond a licensee's area of training,  
12     experience, or competence;

13          (6) being or having been convicted of a felony or any crime that reflects  
14     an inability to practice service dog training with due regard for the health and  
15     safety of clients and dogs;

16          (7) inability or failure to practice service dog training with reasonable  
17     skill and consistent with the welfare of clients and dogs, including negligence  
18     in the practice of service dog training, intoxication, or incapacity;

19          (8) willfully or repeatedly violating any of the provisions of this chapter;

20          (9) engaging in conduct of a character likely to deceive, defraud, or  
21     harm the public;

1           (10) disciplinary action by another jurisdiction;

2           (11) failing to notify the Director in writing within 10 days of the loss,  
3           revocation, discontinuation, or invalidation of any certification or degree  
4           offered to support eligibility for licensure; or

5           (12) disclosing any information relating to a client's medical condition  
6           or medical diagnosis to a third party without the client's or, if the client is  
7           under 18 years of age, the client's guardian's consent unless disclosure is  
8           required by law.

9           (b) A person shall not be liable in a civil action for damages resulting from  
10          the good faith reporting of information to the Director or the Office of  
11          Professional Regulation about alleged incompetent, unprofessional, or  
12          unlawful conduct of an individual licensed under this chapter.

13          Sec. 4. OFFICE OF PROFESSIONAL REGULATION; RULEMAKING

14          The Office of Professional Regulation shall adopt rules consistent with the  
15          requirements of this act on or before July 1, 2023.

16          Sec. 5. EFFECTIVE DATES

17          This act shall take effect on July 1, 2023, except Sec. 4, which shall take  
18          effect on passage.