

Law Change Regarding Emotional Support Animals: What BBS Licensees Need to Know

[AB 468](#) was recently signed by the Governor and becomes effective on January 1, 2022. This bill requires all health care practitioners (including Board licensees and registrants) to comply with all of the following if they are providing documentation relating to an individual's need for an emotional support dog:

1. They must have a valid, active license, and include their license effective date, license number, jurisdiction, and type of professional license in the documentation.
2. They must be licensed in the jurisdiction where the documentation is provided (i.e. where the client is located).
3. They must establish a client-provider relationship with the individual for at least 30 days prior to providing the documentation.
4. They must complete a clinical evaluation of the individual regarding the need for an emotional support dog.
5. They must provide a verbal or written notice to the individual that knowingly or fraudulently representing oneself as the owner or trainer of any dog licensed, qualified, or identified as a guide, signal or service dog is a misdemeanor violation of Section [365.7](#) of the Penal Code.

Any violation of the above subjects a health care practitioner to discipline from their licensing board.

What is an emotional support dog?

The bill defines and emotional support dog as a dog that provides emotional, cognitive, or other similar support to an individual with a disability, and that does not need to be trained or certified.

Are associates also permitted to issue this documentation?

Yes. Although the bill uses the term “licensed”, Business and Professions Code (BPC) Section 23.8 states that when a “licensee” is referred to in the BPC, the term also includes registrants (associates). Therefore, the law as stated above applies to associates as well.

How many times must I meet with my client before issuing the documentation?

The new law states that the health care practitioner must not provide the documentation until a client-provider relationship has been established for at least 30 days. It does not prescribe a specified number of meetings.

Code Section: [Health and Safety Code §122318](#)