

Resolution 07  
Rehabilitation Committee

Change to 38 CFR 17.148 Service Dogs

**Whereas**, 38 United States Code (USC) 1714; sets the laws for the fitting and training of prosthetic appliances, guide dogs, and service dogs, and

**Whereas**, paragraph (c)(3) of USC 1714, states the Secretary may provide “service dogs trained for the aid of persons with mental illness, including post-traumatic stress disorder,” and

**Whereas**, 38 Code of Federal Regulations (CFR) 17.148 defines how to implement the laws set forth in 38 USC1714, and

**Whereas**, 38 CFR 17.148(b) describes the clinical requirements that must be established for the provision of a service dog, and

**Whereas**, paragraph (b) (1) reads “the veteran is diagnosed as having a visual, hearing, or substantial mobility impairment;” and is completely void of discussing the diagnosis of mental illness, PTSD, or TBI. **Now therefore**

**Be it Resolved**, 38 CFR 17.148 paragraph (b) (1) be changed to read “*the veteran is diagnosed as having a visual, hearing, substantial mobility impairment, or mental illness; including post-traumatic stress disorder and or traumatic brain injury; and*”, and

**Be it Further Resolved**, that this change in the 38CFR 17.148 be used as a training point for all VHA staff who work with veterans diagnoses and in treatment for mental illness, PTSD or TBI, and

**BE it Further Resolved**, that if approved by the Department of New York at its annual Convention in Syracuse, New York on July 20-22, 2017, that this resolution be forwarded to the National Organization for consideration at the National Convention in Reno, Nevada scheduled for August 18-24, 2017, and

**Be it Finally Resolved**, That if approved, that this change in the Federal regulation be used to develop a training tool for American Legion Accredited Service Officers, nationwide so as to teach disabled veterans their rights to access service dogs for their service connected conditions as applicable under the 38CFR 17.148.