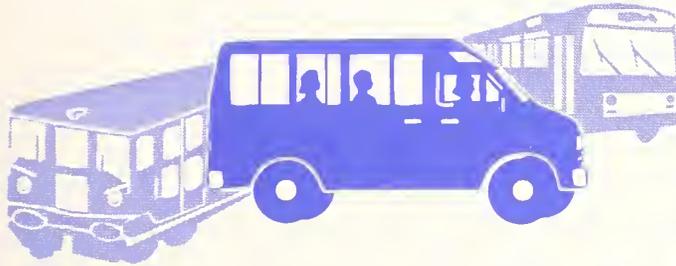




U.S. Department
of Transportation
Federal Transit
Administration

Americans with Disabilities Act (ADA) Paratransit Eligibility Manual

Final Report
September 1993



Durango
LIFT

ADA PARATRANSIT ELIGIBLE



Passenger

Signature

Expires

Eligibility: FULL COND TEMP

(Additional Conditions on Reverse):

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Americans with Disabilities Act (ADA) Paratransit Eligibility Manual

**Final Report
September 1993**

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16. Abstract <p>This manual provides guidance to transit providers in the development and implementation of ADA paratransit eligibility determination processes. Common questions raised about eligibility are addressed. Experience gained in the first one and a half years of implementation of the ADA complementary paratransit provisions is also summarized. As part of the preparation of this manual, public entities that had particular expertise and experience with eligibility determination were contacted and copies of the forms and procedures which they had developed were collected. Key issues raised by these transit providers are included in the text and copies of sample forms and policies are provided in the appendices.</p> <p>The first part of the manual presents a thorough discussion of the concept of ADA paratransit eligibility and describes the regulatory requirements which apply. The second part offers practical advice in all aspects of designing and administering an eligibility determination process. Issues covered include: selecting an appropriate process; creating appropriate forms for the selected process; conducting the initial determination; notifying individuals about determinations; providing documentation of eligibility; establishing and conducting an appeals process; policies for suspending service to eligible persons; and providing service to visitors.</p> <p>The final chapter focuses on key operational issues. It discusses the use of eligibility information in daily operations. Possible approaches to determining the eligibility of specific trip requests are reviewed and advanced technologies which can assist with trip-by-trip determinations are presented.</p>					
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METRIC / ENGLISH CONVERSION FACTORS

ENGLISH TO METRIC

LENGTH (APPROXIMATE)

- 1 inch (in) = 2.5 centimeters (cm)
- 1 foot (ft) = 30 centimeters (cm)
- 1 yard (yd) = 0.9 meter (m)
- 1 mile (mi) = 1.6 kilometers (km)

AREA (APPROXIMATE)

- 1 square inch (sq in, in²) = 6.5 square centimeters (cm²)
- 1 square foot (sq ft, ft²) = 0.09 square meter (m²)
- 1 square yard (sq yd, yd²) = 0.8 square meter (m²)
- 1 square mile (sq mi, mi²) = 2.6 square kilometers (km²)
- 1 acre = 0.4 hectares (he) = 4,000 square meters (m²)

MASS - WEIGHT (APPROXIMATE)

- 1 ounce (oz) = 28 grams (gr)
- 1 pound (lb) = .45 kilogram (kg)
- 1 short ton = 2,000 pounds (lb) = 0.9 tonne (t)

VOLUME (APPROXIMATE)

- 1 teaspoon (tsp) = 5 milliliters (ml)
- 1 tablespoon (tbsp) = 15 milliliters (ml)
- 1 fluid ounce (fl oz) = 30 milliliters (ml)
- 1 cup (c) = 0.24 liter (l)
- 1 pint (pt) = 0.47 liter (l)
- 1 quart (qt) = 0.96 liter (l)
- 1 gallon (gal) = 3.8 liters (l)
- 1 cubic foot (cu ft, ft³) = 0.03 cubic meter (m³)
- 1 cubic yard (cu yd, yd³) = 0.76 cubic meter (m³)

TEMPERATURE (EXACT)

$$[(x - 32)(5/9)]^{\circ}\text{F} = y^{\circ}\text{C}$$

METRIC TO ENGLISH

LENGTH (APPROXIMATE)

- 1 millimeter (mm) = 0.04 inch (in)
- 1 centimeter (cm) = 0.4 inch (in)
- 1 meter (m) = 3.3 feet (ft)
- 1 meter (m) = 1.1 yards (yd)
- 1 kilometer (km) = 0.6 mile (mi)

AREA (APPROXIMATE)

- 1 square centimeter (cm²) = 0.16 square inch (sq in, in²)
- 1 square meter (m²) = 1.2 square yards (sq yd, yd²)
- 1 square kilometer (km²) = 0.4 square mile (sq mi, mi²)
- 1 hectare (he) = 10,000 square meters (m²) = 2.5 acres

MASS - WEIGHT (APPROXIMATE)

- 1 gram (gr) = 0.036 ounce (oz)
- 1 kilogram (kg) = 2.2 pounds (lb)
- 1 tonne (t) = 1,000 kilograms (kg) = 1.1 short tons

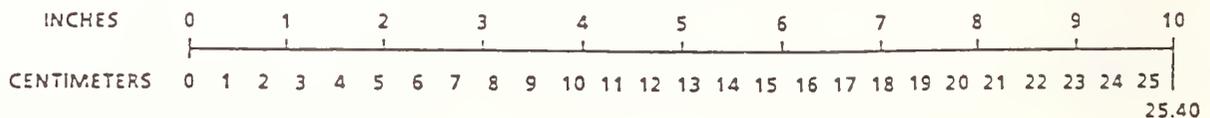
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- 1 milliliter (ml) = 0.03 fluid ounce (fl oz)
- 1 liter (l) = 2.1 pints (pt)
- 1 liter (l) = 1.06 quarts (qt)
- 1 liter (l) = 0.26 gallon (gal)
- 1 cubic meter (m³) = 36 cubic feet (cu ft, ft³)
- 1 cubic meter (m³) = 1.3 cubic yards (cu yd, yd³)

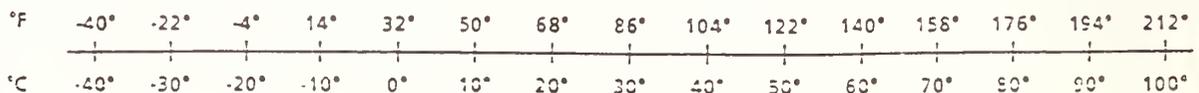
TEMPERATURE (EXACT)

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Introduction

Section 223 of the Americans with Disabilities Act of 1990 (ADA)¹ requires that public entities which operate non-commuter fixed route transportation services also provide complementary paratransit service for individuals unable to use the fixed route system. The regulations issued by the U.S. Department of Transportation², which implement this portion of the law, specify to whom and under what circumstances this service is to be provided. In addition, the regulations require public entities which are subject to the complementary paratransit requirements to develop and administer a process for determining if individuals who request service meet the regulatory criteria for eligibility.

Initial guidance on the development of complementary paratransit plans, including the establishment of eligibility determination processes, was provided in the *ADA Paratransit Handbook*³ immediately following the issuance of the regulations. Since that time, numerous questions about the definition of eligibility and about the determination process have been raised. The review of initial ADA paratransit plans and first year updates also has identified innovative approaches used by transit providers in the development of eligibility determination programs.

This manual has been prepared to provide further guidance to transit providers in the development and implementation of ADA paratransit eligibility determination processes. The most common questions raised about eligibility are addressed. Experience gained in the first one and a half years of implementation of the paratransit provisions is also summarized. As part of the preparation of this manual, public entities that had particular expertise and positive experiences with eligibility determination were contacted and copies of the forms and procedures which they had developed were collected. Key issues raised by these transit providers are included in the text and copies of sample forms and policies are provided in the appendices.

This manual is organized in three parts. The first part, which includes Chapters 1 and 2, presents a thorough discussion of the concept of ADA paratransit eligibility and describes the regulatory requirements which apply. The second part, Chapter 3, offers practical advice in all aspects of designing and administering an eligibility determination process. This chapter

¹ Public Law 101-336, July 26, 1990.

² 49 CFR Parts 27, 37 and 38, "Transportation for Individuals With Disabilities; Final Rule", published in the *Federal Register*, September 6, 1991.

³ Thatcher, R.H., and Gaffney, J.K., *ADA Paratransit Handbook: Implementing the Complementary Paratransit Service Requirements of the Americans with Disabilities Act of 1990*, USDOT Report #UMTA-MA-06-0206-91-1, prepared for the UMTA Task Force on the Americans with Disabilities Act, funded through the Office of Technical Assistance and Safety, September, 1991.

is structured to lead the reader through the process of eligibility determination as it would occur in actual practice. The sequence of presentation is:

- deciding on the appropriate process;
- creating appropriate forms for the selected process;
- conducting the initial determination;
- notifying individuals about determinations;
- providing documentation of eligibility;
- establishing and conducting an appeals process;
- policies for suspending service to eligible persons; and
- providing service to visitors.

The final chapter focuses on key operational issues. It discusses the use of eligibility information in daily operations. Possible approaches to determining the eligibility of specific trip requests are reviewed and advanced technologies which can assist with trip-by-trip determinations are presented.

This manual is also intended to be a comprehensive guide to eligibility issues. In addition to practical information and suggestions, all regulatory information has been included. The full text of those portions of the regulation that address eligibility issues are reprinted in Appendix A. Applicable sections of the appendix to the regulation which provide interpretation of the eligibility provisions are also included. Throughout the manual, relevant portions of the regulations and interpretive guidance are inserted.

While this manual offers extensive guidance on the development of application material and an eligibility process, it does not provide a single model for eligibility determination applicable in all cases. As noted in Chapter 3, there are many different ways that the process can be structured. Application forms and materials will vary depending on the approach selected. Instead, the appendices contain several model forms and materials that apply to all of the possible approaches. Chapter 3 also offers advice on the types of questions and information that should be included in eligibility materials, regardless of the approach which is selected.

Public input is required in the design of the eligibility determination process. The importance of involving people with disabilities and local disability organizations in the development of all aspects of the eligibility policy and process cannot be overemphasized. The guidance and advice offered in this manual should be shared with and reviewed together with these individuals and organizations.

Chapter 1

Understanding ADA Paratransit Eligibility

Section 1. Who Must Develop an ADA Paratransit Eligibility Determination Process and When Must it be Implemented?

Access to mainline, fixed route transportation services is the main goal of the transportation provisions of the ADA. The law recognizes, however, that some persons with disabilities are not able to use fixed route services even if these services are fully accessible. The law also acknowledges that many fixed route systems are not accessible and that alternative means of transportation are needed until full accessibility is achieved. Complementary paratransit service is required by Section 223 of the ADA to serve those persons whose needs cannot be met by fixed route systems.

All public entities which operate non-commuter fixed route transportation services for the general public are required to also provide complementary paratransit service. This paratransit service must be comparable to the fixed route service. Six service criteria which define comparability are detailed in the USDOT implementing regulations.⁴

Complementary paratransit service is to be provided to those individuals determined to be **ADA paratransit eligible** when these individuals are unable to use the fixed route service to meet particular trip needs. As described in Section 2 of this Chapter, the regulations provide detailed guidelines which define who is to be considered ADA paratransit eligible and what trips are to be considered eligible.

All public entities which operate complementary paratransit services must establish a process for certifying individuals as ADA paratransit eligible. Requests for certification must be accepted and processed for local residents and long-term visitors.

An eligibility determination process must be established even if the public entity operates a paratransit system with broader eligibility requirements than the ADA. All potentially ADA paratransit eligible persons may be covered by the broader system, but individuals must have the opportunity to apply for and receive documentation of ADA paratransit eligibility which can be used in other areas.

The regulations required that the implementation of complementary paratransit service begin on January 26, 1992. Services must be fully implemented (i.e., must meet all of the regulatory service criteria) by January 26, 1997 unless an "undue financial burden waiver" is

⁴

For a detailed explanation of the complementary paratransit service requirements, see the *ADA Paratransit Handbook*, UMTA-MA-06-0206-91-1, September, 1991.

granted by the FTA Administrator. The determination of those persons who are eligible to receive service is a necessary first step in this process. Therefore, an eligibility determination process is required early in the five-year implementation period. Regardless of local implementation schedules, all public entities should have an eligibility determination process in place by January 26, 1994.

Section 2. How is ADA Paratransit Eligibility Defined in the Regulations?

Eligibility for complementary paratransit service is directly related to the inability of a person with a disability to use the existing fixed route service. A person's inability to use the fixed route service could be related to the fact that the system has not yet been made fully accessible. It could also result from the nature of a person's disability. The person may not be able, due to their disability, to get to or from the system or to board, ride, and disembark from the vehicles even if they are fully accessible.

While eligibility is conferred on individuals, it is conferred based on the fact that there are certain *trips* that the person cannot make on the fixed route system. For some individuals, their disabilities may prohibit them from ever using the fixed route service. For others, however, they may not be able to use the fixed route service under certain circumstances. ADA paratransit eligibility can, therefore, be considered as having two elements. First, an *individual* is considered ADA paratransit eligible if there are *any circumstances* under which the fixed route system cannot be used. Second, the extent of eligibility conferred on an individual depends on the conditions and circumstances under which they are not able to travel on the fixed route service. Individuals who can never use the fixed route service are *unconditionally eligible*. Persons who can use fixed route service in certain circumstances are *conditionally eligible* and the limitations on their eligibility should be determined.

Because the regulations establish this concept of trip-by-trip eligibility, it is important that the eligibility determination process be detailed enough to identify not only eligible individuals but to determine the conditions under which their specific trip requests would be eligible.

The regulations describe three specific circumstances under which a person would be considered *ADA paratransit eligible*. Within the industry, these have been referred to as the three "categories" of eligibility. The regulations also require that service be provided to personal care attendants and companions of eligible individuals and to visitors from outside a transit district's jurisdiction.

Following is a detailed discussion of each of the three "categories" of eligibility and of requirements for serving companions, personal care attendants, and visitors.

Category 1 Eligibility

The first category of eligibility includes those persons unable to use fully accessible fixed route services. Included in this category is:

"Any individual with a disability who is unable, as the result of a physical or mental impairment (including a vision impairment), and without the assistance of another individual (except the operator of a wheelchair lift or other boarding assistance device), to board, ride, or disembark from any vehicle on the system which is readily accessible to and usable by individuals with disabilities." [§37.123(e)(1)]

Examples of eligibility under this category would include:

- a person with a mental disability who cannot "navigate the system". Navigating the system might involve obtaining and understanding system information, recognizing and boarding the correct vehicle, having available the correct fare and/or using the fare collection system, recognizing destinations, and understanding transfers that might have to be made;
- a person with a vision impairment who cannot "navigate the system". Entering and traveling through a busy station or transit center may not be possible. Recognizing and boarding the correct vehicle, and recognizing the appropriate destination - even though announcements are made - are also considerations;
- a person with a physical disability who cannot stand on a crowded bus or rail car when seats, including priority seats, may not be available;
- a person with a physical disability who uses a wheelchair and who cannot get on or off the lift or to or from the wheelchair securement area without assistance.

It is important to note that eligibility under this category depends on the complexity of the fixed route system. The type and extent of disability that would confer eligibility in a rural area with a one or two route bus system would be different from that in a large urban system. Transit providers should base determinations on the characteristics of their fixed route service and the abilities needed to use it.

Other key issues and questions associated with this category of eligibility are summarized below.

- (1) **Travel training:** Many persons who cannot negotiate the entire fixed route system can be travel trained for certain trips. Typically, training is provided for trips that the person makes frequently, such as to work or school. These individuals would only be ADA paratransit eligible for trips they have not been trained to make. As part of the application and determination process, it should be determined if such training has

been provided.

Individuals cannot, however, be required to participate in travel training. The public entity may choose to offer training and may encourage individuals to take advantage of this service. Until the individual takes advantage of this service and is adequately trained, paratransit service must be provided.

- (2) Operator assistance: Eligibility under this category is not necessarily based on a person's ability to get on and off the lift, up and down a ramp, to and from the securement area, or secure their mobility device. While the regulation states that a person is eligible for paratransit service if they cannot independently use the fixed route system, operator assistance is assumed. The regulations, in fact, specify the level of assistance that must be provided by the public entity. Section 37.165(f) of the regulations states that "the drivers or other personnel must provide assistance with the use of lifts, ramps, and securement devices." Beyond this level of required assistance, however, public entities may choose to offer additional assistance, such as assistance getting to and from the securement area, in order to enable persons to utilize the fixed route service. If the individual is able to use the fixed route system with this assistance, complementary paratransit service does not have to be provided. Local policy concerning operator assistance should be developed with full public participation, including the input of persons with disabilities;
- (3) Assistance of another person: With the exception of assistance provided by the driver or other employees of the service, eligibility under this category is based on a person's ability to independently use the service. A person traveling with a friend or attendant is still eligible for paratransit service even if they would be able to use the fixed route system with this other person's help.
- (4) Accommodating mobility aids: The regulations set standards for vehicle and station/stop accessibility. To be considered accessible, equipment and facilities must be able to accommodate mobility aids of a certain size and persons and mobility aids up to a certain weight. The regulations define a "common wheelchair" as a "wheelchair" which does not exceed 30 inches in width and 48 inches in length (measured two inches above the ground) and which does not weigh more than 600 pounds when occupied. A "wheelchair" is defined as any mobility aid belonging to any class of three or four-wheeled devices, usable indoors, designed for and used by individuals with mobility impairments, whether operated manually or powered.

All common wheelchairs and their users are to be accommodated on accessible fixed route and complementary paratransit systems. The regulations do not, however, require public entities to provide service to persons using mobility aids that are not "common wheelchairs". An individual would not be eligible for paratransit service under category 1 if they could not use an accessible bus because their mobility aid is too large or too heavy for the lift.

- (5) Standeers on lifts: The regulations require public entities to allow persons with ambulatory disabilities who do not use wheelchairs (e.g., persons who use leg braces and canes) to enter the vehicle by standing on the lift. Therefore, individuals who cannot climb the steps to get into a bus would not be eligible for paratransit service if they could enter the vehicle using the lift.

Category 2 Eligibility

The second category of eligibility includes:

"Any individual with a disability who needs the assistance of a wheelchair lift or other boarding assistance device and is able, with such assistance, to board, ride, and disembark from any vehicle which is readily accessible to and usable by individuals with disabilities if the individual wants to travel on a route of the system during the hours of operation of the system at a time, or within a reasonable period of such time, when such a vehicle is not being used to provide designated public transportation on the route." [§37.123(e)(2)]

The majority of persons eligible under this category would be those with ambulatory disabilities who could not enter an inaccessible rail facility or would need to travel on a vehicle with a lift or ramp and other accessibility features. This would include persons who use wheelchairs as well as persons who use other mobility aids such as walkers, leg braces, or canes.

Eligibility under this category depends on the accessibility of vehicles and stations/stops. A person is eligible for paratransit service if the fixed route on which they want to travel is not yet accessible. Guidance on exactly what constitutes an "accessible" fixed route is provided in the regulations and explanatory appendix. For example:

- A person is eligible if the bus route on which they want to travel is not 100 percent accessible. The requested trip would be eligible if the fixed route that would otherwise be used is only partially accessible (e.g., every other bus is accessible).
- Similarly, a person is eligible if they need to travel on a rapid or light rail system that is not yet accessible - meaning that all key stations are accessible and one car per train is accessible. An individual would be eligible in this example even if accessible fixed route bus service is provided in the same area.
- An individual is eligible for paratransit if a vehicle's lift or boarding device cannot be deployed at the stop which they want to use.
- An individual who uses a "common wheelchair" but cannot be served by the fixed route system because the lift on the vehicle they need to use does not meet the equipment standards contained in Part 38 of the regulation is eligible for paratransit service.

One important issue related to category 2 eligibility is the use of on-call bus services as a way to increase the overall accessibility of the fixed route service. Basically, on-call bus programs allow an individual to call in advance and request that an accessible bus be assigned to a particular route at a time when they need to travel.⁵ Typically, an on-call bus program is implemented when a significant percent of the fixed route fleet is accessible. Successful programs have been implemented when 20-30 percent of all peak hour vehicles are accessible.

On-call bus services do not technically make the fixed route fleet fully accessible. Therefore, even if an on-call bus service is offered, individuals who are eligible under category 2 must be certified. On-call bus service is, however, considered an acceptable form of complementary paratransit service and can be provided in lieu of a separate van service to those who are eligible under this category.

A second important issue is how this category of eligibility should be treated by transit providers whose fixed route systems are fully accessible. Clearly, individuals who could use accessible vehicles would not be Category 2 eligible in these areas and transit districts are not required to include questions that address this category of eligibility in their application materials or assessment processes if the fixed route service is 100 percent accessible. These same individuals may not, however, be able to use inaccessible vehicles if they travel to other transit districts. Therefore, transit providers are encouraged to address this category of eligibility even if it is not applicable to their local system and to note on the eligibility documentation provided that individuals are ADA paratransit eligible if accessible fixed route vehicles are not available when needed.

Category 3 Eligibility

The third category of eligibility includes:

"Any individual with a disability who has a specific impairment-related condition which prevents such individual from traveling to a boarding location or from a disembarking location on such system." [§37.123(e)(3)]

Two important qualifiers to this category are included in the regulations. First, environmental conditions and architectural barriers not under the control of the public entity do not, when considered alone, confer eligibility. If, however, travel to or from a boarding location is prevented when these factors are combined with the person's specific impairment-related condition, paratransit service must be provided. Examples of architectural and environmental factors that, in combination with certain disabilities, could prevent travel include:

⁵ For more information on on-call bus programs, see Chapter 6 of the ADA Paratransit Handbook, FTA Report #MA-06-0206-91-1, September, 1991.

- a lack of curb-cuts
- the distance from the stop/station to the trip origin or destination
- steep terrain
- snow and/or ice
- extremes in temperature (hot or cold)
- major intersections or other difficult to negotiate architectural barriers
- temporary construction projects
- severe air pollution

Second, the specific impairment-related condition must prevent the person from using the fixed route system. Conditions which make getting to or from stops/stations more difficult do not confer eligibility. A determination of whether travel is difficult rather than "prevented" will need to be made. Appendix D of the regulations offers the following guidance to clarify the concepts of "prevented" travel and the relationship between architectural and environmental conditions and a person's disability:

"For anyone, going to a bus stop and waiting for a bus is more difficult and less comfortable than waiting for a vehicle at one's home. This is likely to be all the more true for an individual with a disability. But for many persons with disabilities, in many circumstances, getting to a bus stop is possible. If an impairment-related condition only makes the job of accessing transit more difficult than it might otherwise be, but does not prevent the travel, then the person is not eligible.

For example, in many areas, there are not yet curb cuts. A wheelchair user can often get around this problem by taking a less direct route to a destination than an ambulatory person would take. That involves more time, trouble, and effort than for someone without a mobility impairment. But the person can still get to the bus stop. On the basis of these architectural barriers, the person would not be eligible.

Entities are cautioned that, particularly in cases involving lack of curb cuts and other architectural barrier problems, assertions of eligibility should be given tight scrutiny. Only if it is apparent from the facts of a particular case that an individual cannot find a reasonable alternative path to a location should eligibility be granted.

If we add a foot of snow to the scenario, then the same person taking the same route may be unable to get to the bus stop. If it is not the snow alone that stops him; it is the interaction of the snow and the fact that the individual has a specific-impairment related condition that requires him to push a wheelchair through the snow that prevents the travel.

Inevitably, some judgment is required to distinguish between situations in which travel is prevented and situations in which it is merely made more difficult. In the Department's view, a case of "prevented travel" can be made not only where travel is literally impossible (e.g., someone cannot find the bus stop, someone cannot push a wheelchair through the foot of snow or up a steep hill) but also where the difficulties

are so substantial that a reasonable person with the impairment-related condition in question would be deterred from making the trip.

The regulation makes the interaction between an impairment-related condition and the environmental barrier (whether distance, weather, terrain, or architectural barriers) the key to eligibility determinations. This is an individual determination. Depending on the specifics of their impairment-related condition, one individual may be able to get from his home to a bus stop under a given set of conditions, while his next-door neighbor may not."

Given the judgement required to determine if travel is truly prevented and the relationship between environmental conditions and an individual's disability, making eligibility determinations based on this third regulatory category is likely to be the most difficult. Figure 1 on the following page provides additional hypothetical examples to further define eligibility under this category. It includes situations that would result in a person being determined eligible as well as examples that would not confer eligibility.

Figure 1. Examples of Eligibility Under Category 3

Situations that would result in category 3 eligibility:

- A person who is blind and who cannot cross a major intersection that is not equipped with assistive devices such as audible signals in order to get to or from a stop/station would be eligible to receive paratransit for that trip.
- A person with a cardiac condition who is sensitive to high temperatures and cannot wait outside for a bus during extremely hot weather would be eligible when this environmental condition exists.
- An individual with severe arthritis or multiple sclerosis whose disability is aggravated by high humidity would be eligible when this environmental condition, in combination with the disability, prevents the use of fixed route service.
- An individual who uses a manual wheelchair, walker, or braces and who cannot negotiate steep terrain would be eligible for paratransit if using fixed route service for a particular trip required crossing a hilly area.
- A person with an ambulatory disability who is unable to get to or from stops/stations due to a lack of curb cuts.
- A person with a cognitive impairment who is unable to remember and follow directions to get to and from a stop/station would be eligible for trips (s)he has not or cannot be trained to successfully make.
- A person who is frail and cannot independently travel more than 1/4 of a mile to get to or from stops/stations and whose particular trip is to a destination that is 1/2 mile from the nearest fixed route.
- A person with an ambulatory disability who cannot walk or maneuver a mobility device to or from stops/stations when there is an accumulation of snow or ice would be eligible in this type of weather.
- A person with a respiratory condition that is affected by high levels of air pollution would be eligible if using fixed route service under such environmental conditions is not advisable.

Situations that would not result in category 3 eligibility include:

- A person with a disability who prefers not to use fixed route service due to the possibility of crime would not be eligible.
- A person who prefers not to use fixed route service when it is raining would not be eligible unless the rain or humidity in combination with a particular disability prevented him/her from getting to or from a stop/station.
- An infant or child with a disability who is unable to get to and from a stop/station and use the fixed route service not because of the disability but because of age.

Companions/Personal Care Attendants

Paratransit service also must be provided to a **personal care attendant (PCA)** traveling with an eligible rider. In addition to a personal care attendant, the regulations require that service be provided to one **companion** accompanying an eligible rider. Other persons accompanying the rider are to be accommodated on a "space available" basis. Persons are considered to be accompanying the eligible rider if they are picked up and dropped off at the same locations as the eligible rider. Companions must be charged the same fare as the eligible rider and PCAs must ride free.

The following additional guidance on requirements for serving PCAs and companions is provided in the interpretive appendix to the regulations:

"The one individual who is guaranteed space on the vehicle can be anyone—family member, business associate, friend, date, etc. The provider cannot limit the eligible individual's choice of type of companion. The transit authority may require that the eligible individual reserve a space for the companion when the individual reserves his or her own ride. This one individual rides even if this means that there is less room for other eligible individuals. Additional individuals beyond the first companion are carried only on a space available basis; that is, they do not displace other ADA paratransit eligible individuals.

A personal care attendant (i.e., someone designated or employed specifically to help the eligible individual meet his or her personal needs) always may ride with the eligible individual. If there is a personal care attendant on the trip, the eligible individual may still bring a companion, plus additional companions on a space available basis. The entity may require that, in reserving the trip, the eligible individual reserve the space for the attendant.

To prevent potential abuse of this provision, the rule provides that a companion (e.g., friend or family member) does not count as a personal care attendant unless the eligible individual regularly makes use of a personal care attendant and the companion is actually acting in that capacity. As noted under §37.125, a provider may require that, as part of the initial eligibility certification process, an individual indicate whether he or she travels with a personal care attendant. If someone does not indicate the use of an attendant, then any individual accompanying him or her would be regarded simply as a companion." [Appendix D to 49 CFR Part 37, §37.123]

As indicated above, a PCA may be an employee of the ADA paratransit eligible rider or may be a family member or friend. Regardless of the relationship, a PCA is clearly meant to be someone whose services are required by the rider. In determining if eligible individuals require PCA services, it is important to realize that the need for a personal care attendant is not necessarily related to travel on the paratransit service. PCAs are often needed by

individuals with disabilities to assist with other activities of daily living. For example, a quadriplegic may be assisted by a PCA in filing and holding papers at work or in eating meals. A blind person may need a PCA to assist with shopping or to serve as a reader at work. Individuals may need PCAs for these activities but be fully capable of traveling on the paratransit service with the assistance provided by transit personnel.

The need for PCA services can be intermittent or occasional and still be considered "regularly" needed. "Regular" use should be interpreted to be consistent with the underlying need - for example, a blind person regularly using a PCA for shopping. It is also important to note that once a person has been certified as needing to travel with a PCA, it should be the eligible individual, not the transit agency, that determines if a PCA is needed for a particular trip.

Section 4 of Chapter 3 of this manual offers guidance on questions that can be added to the application form or assessment process to determine if eligible individuals will need the services of PCAs when using the paratransit program.

Visitors

The needs of visitors with disabilities who cannot use the fixed route system also are addressed in the regulations. Complementary paratransit service must be provided to ADA eligible individuals who travel to areas outside of the region in which they live. If these individuals have been certified as "ADA paratransit eligible" by a public entity, that certification must be honored and the host transit agency must provide up to 21 days of paratransit service. If individuals have not been certified as eligible by another public entity but claim that they are ADA paratransit eligible, they are entitled to "presumptive eligibility" and must be provided with 21 days of service. Individuals who are not certified by another transit provider and who claim presumptive eligibility can be requested to provide certain documentation such as their place of residence and the nature of their disability.

Individuals are only considered "visitors" if they reside outside of the transit provider's jurisdiction. The "jurisdiction" means the total area within which the provider is authorized to operate, not the sub-area designated as the ADA paratransit service area. In joint paratransit plans, the jurisdiction is considered the total area of all partners in the plan. The interpretive appendix to the regulation offers the following explanation and example:

"A visitor is defined as someone who does not reside in the jurisdiction or jurisdictions served by the public entity or other public entities with which it coordinates paratransit service. For example, suppose a five-county metropolitan area provides coordinated paratransit service under a joint plan. A resident of any of the five counties would not be regarded as a visitor in any of them. Note that the rule talks in terms of "jurisdiction" rather than "service area." If an individual lives in XYZ County, but outside the fixed route service area of that county's transit provider, the individual is still not a visitor for purposes of paratransit in PQR

County, if PQR is one of the counties with which XYZ provides coordinated paratransit service."

Visitors from communities outside the transit agency's jurisdiction must be served even if the community in which they reside does not contribute financially to the transit system.

The "21 days" of service that must be provided are to be calculated as 21 days of service over a defined period of time, not as a 21 calendar day period of time, beginning from the first day that service is provided. For example, a person may travel to the ADA service area two-days a week on the commuter rail system. Eligibility should be extended in this case over the eleven week period of time within which 21 days of paratransit service would be required.

Visitors who require more than 21 days of service within the period of time established can be required to apply for local eligibility.

Finally, the level of service provided to visitors must be the same as that provided to local ADA paratransit eligible individuals who would be traveling in the same area. This means that there can be no difference in the area within which visitors can travel, the times that they can travel, the fares charged, or any of the other service criteria established in the regulations. Visitors are to be treated exactly like eligible local customers.

Temporary Disabilities

Persons with temporary disabilities are to be considered for ADA paratransit eligibility. This may include:

- someone with a medical condition such as a broken leg who temporarily is unable to use the fixed route service;
- someone who has recently undergone an operation or other medical treatment and who is unable to use the fixed route service; or
- someone with a cognitive disability that can be expected to be resolved over time through treatment or medication.

Temporary eligibility should be granted for the period of time that the disabling condition is expected to last. An expiration date should be included on the documentation provided to individuals determined temporarily ADA paratransit eligible. Section 4 of Chapter 3 of this manual includes a suggested approach for determining the period of disability as part of the application/assessment process.

Section 3. Key Differences between ADA Paratransit Eligibility and Past Paratransit Eligibility

Many public transit providers offered paratransit services prior to the enactment of the ADA. In the mid-1970's, eligibility was determined by governing boards based on expressed local needs. Throughout the 1980's, transit providers which opted to meet their Section 504 obligations by offering paratransit service adopted the general definition of eligibility provided in that regulation.

Eligibility for ADA complementary paratransit service is different from these past notions of paratransit eligibility in four key ways. These differences are discussed below.

ADA Paratransit Eligibility as a Civil Right

Failure to conduct a determination process that meets the regulations or failure to provide complementary paratransit service in accordance with the requirements established in the regulations are violations of the civil rights of the affected individual. This difference between ADA paratransit and past services has several important implications for the eligibility determination process. First, in designing review procedures and policies, it is important that they adhere to all of the requirements contained in §37.123 and 37.125, described above and in Chapter 2 of this manual. All elements of the policy and process also should be formally adopted by each public entity with the public participation required in §37.137 of the regulations. Second, due process standards must be observed in appeals, suspensions of service, or in any other actions which affect a person's right to the service. This is particularly true once individuals have been determined eligible. In addressing the suspension of service for "no-shows", the interpretive appendix states:

"Once an entity has certified someone as eligible, the individual's eligibility takes on the coloration of a property right. (This is not merely a theoretical statement. If one depends on transportation one has been found eligible for to get to a job, and the eligibility is removed, one may lose the job. The same can be said for access to medical care or other important services.) Consequently, before eligibility may be removed "for cause" under this provision, the entity must provide administrative due process to the individual." [Appendix D to 49 CFR Part 37, Federal Register, Sept. 6, 1991, page 45747].

Finally, transit providers should maintain adequate records of certification requests, reviews completed, notification provided, and any appeals requested and should be prepared to demonstrate that regulatory requirements were met in the handling of each request for eligibility. Applications should be dated upon receipt. Decisions made throughout the review process (e.g., the completeness of the application, the need for more information, reasons for determinations, requests for appeals, etc.) should be recorded.

Functionally-based Determinations of Eligibility

Many policies prior to the ADA conferred paratransit eligibility based on a particular medical condition, disability, or on the use of a particular mobility aid. For example, persons who were certified as paratransit eligible if they were "blind" or "legally blind". Individuals who used wheelchairs, walkers, or leg braces were considered eligible for paratransit. Certification from a social service agency or a medical professional that the person used a particular aid or had a particular disability automatically conferred paratransit eligibility.

ADA paratransit eligibility, however, is based not just on the presence of a disability, but on the effect that the disability has on the person's ability to use the fixed route service. Several factors must be considered in determining ADA paratransit eligibility. These include:

- (1) the applicant's disability;
- (2) the accessibility of the fixed route system;
- (3) architectural barriers that, in combination with the person's disability, prevent use of the fixed route service; and
- (4) environmental conditions that, in combination with the person's disability, prevent use of the fixed route service.

While documentation of a particular disability or use of a mobility aid is still important, this information alone can not be used to make an eligibility determination. Questions about the functional ability of the applicant to use fixed route transit must be included in the application or assessment process. The accessibility of the fixed route service and the effects of environmental and architectural barriers must also be considered.

Conditional or "Trip-by-Trip" Eligibility

The paratransit eligibility processes employed by most transit providers prior to the ADA used an "all or nothing" determination approach. If it was determined that certain persons met the criteria established for eligibility, they could call and request paratransit service for *any* trip. If they were determined to not be eligible, they could not request *any* rides. The ability to use the fixed route system for some trips and not for others was not considered.

Under the ADA, complementary paratransit service is only required for trips that cannot be made on the fixed route system. Many persons may qualify because there are certain specific conditions which prevent them from using the fixed route service. For example, a paraplegic wheelchair user may be able to use accessible fixed route buses during most of the year, but may require paratransit service when traveling on a route that is not fully accessible or when traveling when there is a significant accumulation of snow. Such a person would be ADA paratransit eligible. Eligibility would be for trips that are not served by accessible

fixed routes and might be limited to certain months of the year. The documentation of ADA paratransit eligibility provided to this individual should identify these conditions of eligibility.

While transit providers must identify whether or not applicants are conditionally or unconditionally eligible and must include limitations of eligibility in the documentation provided, they are **not** required to conduct trip-by-trip determinations in daily operation. If full compliance with the paratransit requirements can be achieved within the allowed implementation period, a broader service can be provided. If an undue financial burden waiver is eventually requested, however, only those costs associated with the provision of eligible trips can be used to calculate ADA paratransit costs. An ability to distinguish between trips that are eligible and those that are not will be needed.

Table 1 on the following pages, adapted from the *ADA Paratransit Handbook*, illustrates the relationship between ADA paratransit eligibility and selected types of disabilities/medical conditions/functional impairments. For selected disabilities, the applicability of eligibility conditions is indicated. The types of conditions that should be considered are also noted. While the table is not intended to be an exhaustive listing of disabilities or eligibility conditions, it does illustrate the fact that conditions of eligibility need to be considered in most cases. There are limited instances in which it would be reasonable to assume that paratransit service is needed "in all cases". This would include, for example, individuals with profound mental retardation who are unable to negotiate the fixed route system even with travel training. It would also include persons with disabilities that are episodic or intermittent (i.e., the extent of disability can vary from day to day). In this latter instance, it would probably be unrealistic to specify the condition that would trigger an inability to use fixed route service.

Table 1. Eligibility by Functional Impairment/Disability

Functional Impairment/ Disability	Type of Eligibility	Determining Factors
Ambulatory Disability, Uses Wheelchair	Conditional (2,3)*	<ul style="list-style-type: none"> - Availability of accessible fixed route service - Distance to/from bus stop or rail station for trip requested - Environmental conditions (terrain)
Ambulatory Disability, Uses Walker	Conditional (2,3)	<ul style="list-style-type: none"> - Distance to/from bus stop or rail station for trip requested - Availability of accessible fixed route service - Environmental conditions (terrain)
Ambulatory Disability Uses Braces	Conditional (2,3)	<ul style="list-style-type: none"> - Distance to/from bus stop or rail station for trip requested - Availability of accessible fixed route service - Environmental conditions (terrain)
Ambulatory Disability, Uses Other Mobility Aid	Conditional (2,3)	<ul style="list-style-type: none"> - Distance to/from bus stop or rail station for trip requested - Availability of accessible fixed route service - Environmental conditions (terrain)
Temperature Sensitivities	Conditional (3)	<ul style="list-style-type: none"> - Distance to/from stop/station - Waiting time at Stop/station - Temperature
Cardiac Condition	Conditional (3)	<ul style="list-style-type: none"> - Distance to/from stop/station - Environmental conditions (temperature, terrain)
Pulmonary Condition	Conditional (3)	<ul style="list-style-type: none"> - Distance to/from stop/station - Environmental conditions (temperature/terrain)
Arthritis	Conditional (3)	<ul style="list-style-type: none"> - Distance to/from stop/station - Environmental conditions (temperature/terrain)

* Indicates category of eligibility. (1) = unable to board, ride, or disembark from an accessible vehicle; (2) = able to use accessible vehicle but accessible vehicle is not available; (3) = unable, due to impairment related conditions to get to stop/station.

Table 1 (continued)

Functional Impairment/ Disability	Type of Eligibility	Determining Factors
Conditions resulting in severe fatigue (HIV, radiation/chemotherapy, dialysis)	Conditional (1,3)	<ul style="list-style-type: none"> - Distance to/from stop/station - Environmental (temp./terrain)
Severe lack of coordination/motor function (e.g., cerebral palsy, brain/spinal/peripheral nerve trauma, neurological conditions)	In all cases (1,3)	
Moderate lack of coordination/motor function (e.g., cerebral palsy, brain/spinal/peripheral nerve trauma, neurological conditions)	Conditional (2,3)	<ul style="list-style-type: none"> - Distance to/from stop/station - Availability of accessible fixed route service
Profound or severe mental retardation	In all cases (1,3)	
Mild or moderate mental retardation	Conditional (1,3)	<ul style="list-style-type: none"> - Has person received travel training for trip requested?
Psychiatric disabilities causing disorientation (as distinct from behavioral)	In all cases (1,3)	
Visual impairments (blindness, restricted vision)	Conditional (1,3)	<ul style="list-style-type: none"> - Has person received travel training for trip requested? - Effective fixed route communications practices in place (announcements, card systems, etc.)? - Physical barriers in the environment
Hearing Impairments	Conditional (1)	<ul style="list-style-type: none"> - Effective fixed route communications practices in place (signage, card system, etc.)
Communication Disabilities (disability related speech or reading impairments)	Conditional (1)	<ul style="list-style-type: none"> - Effective fixed route Communications practices in place (signage, card system, etc.)

Determining Eligibility Based on the Most Limiting Factors

Determinations of ADA paratransit eligibility must consider the ability of applicants to travel to *any* origins and destinations in the paratransit service area under *all* possible conditions. Determinations cannot be based on a person's ability to use fixed route service some of the time or under "typical" conditions. For example, a person with an ambulatory disability may live only one block from the nearest bus stop and the terrain between their home and the stop may be level and accessible. They may not be able, though, to independently travel more than 1/2 mile and may not be able to negotiate steep terrain. Even though this person could get to the fixed route system from their home, there would be possible destinations more than 1/2 mile from fixed routes that she or he would not be able to reach. There may be other destinations in areas of steep terrain that would also be inaccessible. Conditional eligibility would therefore be appropriate.

Section 4. The Importance of a Thorough Initial Determination

The development of a process that can accurately determine ADA paratransit eligibility, including conditions and limitations of eligibility, is important for several reasons. First and foremost, as mentioned in Section 3 above, individuals who are unable to use fixed route service have a right to receive complementary paratransit service within the service limits established by the regulations. Because this is a right established in national law, the ultimate arbiter of eligibility for complementary paratransit service is the judicial system. An applicant who feels that a local determination of eligibility is not consistent with the regulatory criteria can take this concern to court. It is therefore in the interest of all involved that initial determinations of ADA paratransit eligibility are made accurately and in keeping with the established criteria and procedures.

In addition, an accurate determination of eligibility has important operational and planning implications. These include:

Managing Demand

In many systems, the level of paratransit service that must be provided to persons determined ADA paratransit eligible exceeds that which was provided prior to the ADA. Once complementary paratransit service is brought into full compliance, individuals can request any and all trips for which they have been determined eligible. Essentially, *unconstrained* service must be provided in corridors served by fixed routes at all times that the service is in operation. Unless granted an "undue financial burden waiver," transit providers will not be permitted to ration service, by limiting supply or by other means, for these customers.

If the cost of providing fully compliant ADA paratransit service is a local concern, it is important to carefully identify those individuals who are eligible, determine when these persons can use the fixed route system, and when paratransit is necessary. Unless eligibility and appropriate limitations/conditions are determined at the outset, it may not be possible to implement a trip-by-trip scheduling system (see Chapter 4) as a way to manage paratransit demand.

Documenting an Undue Financial Burden

In the event that providing fully compliant ADA paratransit service presents an undue financial burden, the regulations permit transit providers to request a waiver from the Administrator of the Federal Transit Administration. Undue financial burden waiver requests must document the cost of providing fully compliant service and must detail why this cost is

an undue burden.⁶ In developing service costs, the regulations specifically note in §37.155(b) that costs must be limited to those "required by (the regulations) to ADA paratransit individuals" and "attributable to ADA-mandated trips".

Transit providers requesting waivers must be able to document that they have counted only those costs associated with eligible trips made by persons who have been determined ADA paratransit eligible. They must also be prepared to show that local determination of eligible individuals and trips is consistent with the regulations. The local eligibility determination process is, therefore, an important concern in any decision regarding a request for an undue financial burden waiver. If there is reason to believe that the process has not accurately determined ADA paratransit eligibility consistent with the regulations, the costs of ADA complementary paratransit service included in a waiver request may be questioned.

⁶ Factors which must be addressed in an undue financial burden waiver request are detailed in §37.151 through §37.155 of the regulations.

Chapter 2

Elements of an ADA Paratransit Eligibility Policy

In addition to providing a definition of ADA paratransit eligibility, the USDOT regulations establish requirements for several aspects of the determination process. As shown in Figure 2 below, six specific process requirements are included in §37.125 of the regulations. Additional process issues are discussed but left to the option of transit providers. Each of these required and optional policy elements is described in this chapter.

Figure 2. Required and Optional Policy Elements

<i>Required Elements:</i>	<i>Optional Elements:</i>
<ul style="list-style-type: none"> ● Strictly limiting eligibility ● Accessible formats ● Processing time ● Notice of initial determinations ● Documentation of eligibility ● Administrative appeal process 	<ul style="list-style-type: none"> ● Recertification of ADA paratransit eligibility ● Recertification of other paratransit customers ● No-show suspension policy

All transit providers should establish a written eligibility policy as part of their ADA paratransit plan. The policy should detail exactly how the ADA paratransit eligibility determination process is structured. The policy must address the requirements of §37.125 and indicate how compliance with each is being achieved. It can also address the optional elements noted above. A checklist which can be used to ensure that all key elements are included in an ADA eligibility policy is provided in Appendix B.

Section 1. Required Elements

Strictly Limiting Eligibility

The certification process that is established must strictly limit *ADA paratransit eligibility* to the regulatory definition of eligibility. Only those persons who meet the regulatory definition can be given documentation indicating that they are "ADA Paratransit Eligible". In addition, if individuals who are determined to be ADA paratransit eligible can use fixed route service under certain conditions, the documentation which they are given must indicate the limitations/conditions of their eligibility.

Public entities which foresee no financial difficulty fully meeting the complementary paratransit requirements and who wish to offer a broader service can do so. A parallel process for determining eligibility for this broader service can be established and documentation of eligibility for this non-ADA service can be provided. Documentation for this broader service cannot, however, indicate that these other customers are ADA paratransit eligible.

Entities also may develop an integrated eligibility determination process which they use for all local paratransit services. Questions included in the application material can be used to determine if individuals qualify for broader services even if they do not qualify as ADA paratransit eligible. Documentation of eligibility must, however, distinguish between those who qualify for the broader service and those who meet ADA paratransit eligibility standards.

Similarly, if full compliance with the complementary paratransit requirements poses no undue financial burden, entities may opt to accept all trip requests, regardless of conditions and circumstances, from individuals determined ADA paratransit eligible. It may be too administratively burdensome to implement trip-by-trip eligibility or may not be cost effective to attempt to operationalize all aspect of trip eligibility. The determination process and the documentation provided must still, however, be designed to identify the extent of eligibility conferred on individuals. Application or assessment forms and guidelines must be detailed enough to allow for conditions of eligibility to be noted where applicable. The process must also be thorough enough to reasonably ensure that the criteria for eligibility are being properly interpreted and applied.

As noted in Section 4 of the previous chapter, should it become necessary to request an undue financial burden waiver, only those costs attributable to ADA-mandated trips can be counted in the request.

Accessible formats

Subsection (b) of §37.125 states that "All information about the process, materials necessary to apply for eligibility, and notices and determinations concerning eligibility shall be made available in accessible formats upon request." Accessible formats include large print, audio tape, braille, and computer disk.

Information does not need to be made available in the format a requester prefers, but does have to be made available in a format that the person can use. There is no use, for example, giving a braille document rather than a document on tape to a person who does not read braille.

Section 4 of Chapter 3 of this manual includes a more detailed discussion of this requirement and suggests ways to assist individuals with sensory impairments.

Processing Time/Presumptive Eligibility

Applicants are to be granted presumptive eligibility if a determination of eligibility has not been made within 21 calendar days of the submission of a completed application. Service must be provided, and the applicant presumed to be eligible, until and unless the determination is complete and the person is found to be ineligible.

An application is considered to be complete once the person has provided all of the information required. Subsequent investigations or requests for additional information by the public entity would be considered part of the review process and within the 21 day timetable. For example, if an application process requires that individuals complete a form which includes the name of a professional who can be contacted for further information, the application would be considered "complete" once the requested information and professional contact were indicated. Follow-ups by the public entity in getting additional professional verification and information would be part of the 21 day review process.

Notice of Initial Determination

Applicants must be notified in writing of the initial determination of eligibility. If the determination is that the person is not eligible, the written notification must state the reasons for the finding.

Appendix D to the regulations indicates that notification of ineligibility must be specific. Information provided in the application or obtained in the review process must be related to the eligibility criteria (e.g., the categories of eligibility) and to the review process which the entity has designed. Simply indicating that the person is not ADA paratransit eligible because it has been determined that they "are able to use the fixed route system" is not sufficient.

Section 6 of Chapter 3 provides more information and suggestions on the notification process.

Documentation of Eligibility

If an applicant is determined to be eligible, documentation of eligibility must be provided. This documentation must specifically state that the person is "ADA Paratransit Eligible". It must also contain, at a minimum, the following information:

- the name of the eligible individual;
- the name of the transit provider providing the certification;

- the telephone number of the transit provider's paratransit coordinator;
- an expiration date for eligibility (if applicable);
- any conditions or limitations on the individual's eligibility; and
- the need for a personal care attendant.

The telephone number of the transit provider's paratransit coordinator is meant to facilitate communication between transit providers if additional eligibility information is needed when the person travels to another area. The person identified (and the phone number listed) should be the individual who has access to and can readily provide eligibility information.

Administrative Appeal Process

Section 37.125(g) of the regulations requires that an administrative appeal process be available to any individuals who are determined to be ineligible for complementary paratransit service. Because the provision of ADA complementary paratransit service is a civil right, the denial of eligibility is a serious matter. A fair and effective appeal process is not only required but is in the interest of all parties.

The appeal process must be available not only to individuals who are determined ineligible in all situations, but to persons who are deemed conditionally eligible. Limiting eligibility is in fact denying eligibility for certain trips.

The appeal process established must comply with the following requirements:

- Individuals must be permitted to request an appeal within 60 days of the initial eligibility decision;
- Individuals must have an opportunity to be heard in person and to present additional information and arguments regarding their disability and ability to use the fixed route service;
- There must be a "separation of function" between those involved in the initial eligibility determination and those selected to hear appeals;
- Applicants must be notified of appeal decisions in writing, or in accessible format if requested, and the notification must state the reasons for the decision if eligibility is still denied;

- If a decision on the appeal is not made within 30 days of the completion of the process, individuals must be considered "presumptively eligible" and must be provided paratransit service until and unless a decision to deny the appeal is issued. Paratransit service does not have to be provided, however, during other phases of the appeal.

Section 8 of Chapter 3 offers guidance on establishing an appeal process and includes information about the processes adopted by several selected transit agencies.

Section 2. Optional Elements

In addition to the above items, eligibility determination policies can include the following three additional features. These are not, however, required elements of the process.

Recertification of ADA Paratransit Eligibility

Transit providers can require that individuals periodically reapply for ADA paratransit eligibility. While a person's disability may be permanent, other factors which go into the determination of eligibility may change. For example, the percent of accessible vehicles in the fixed route service may increase. Improved technologies and/or operating procedures also may be introduced which would permit greater use of the fixed route service by individuals with disabilities.

While the regulations do not specify the period for which individuals should be certified as ADA paratransit eligible, some general guidance is provided. The *ADA Paratransit Handbook* suggests recertification every three to five years.⁷ It also notes that the period of recertification can be flexible and can consider the applicant's particular disability. For example, a person who is frail and 75 years old could be determined eligible without any expiration date while an applicant whose disability might be expected to change can be certified for a specific period of time.

Another important factor in setting the recertification interval is whether or not changes in the level of fixed route accessibility are planned. A longer interval might be appropriate in an area where fixed route service is already 100 percent accessible versus a system that is just beginning to make fixed route vehicles and stations accessible.

Regardless of the policy regarding recertification, individuals have the right to request a new determination if they believe that there have been changes in their situation. This would

⁷ *ADA Paratransit Handbook*, USDOT Report Number UMTA-MA-06-0201-91-1, September, 1991, page 4-11.

include individuals determined ineligible as well as those whose eligibility has been limited or conditioned.

Recertification of Other Paratransit Customers

If paratransit service was provided prior to the ADA, transit providers may elect to require that all current riders be recertified. Such a recertification is not, however, required by the regulations. Current riders can continue to receive service and can apply for ADA paratransit eligibility as they choose.

If existing riders are allowed to choose whether or not to apply for ADA paratransit eligibility, transit providers should make these riders aware of any potential benefits of certification. This would include the ability to use paratransit services in other areas and "priority" service should capacity constraints exist. It would also provide individuals with certain rights and "due process" protections.

A recertification of existing riders will become important, however, if fully compliant paratransit service cannot be developed in the five year implementation period provided by the regulation. Any request for an undue financial burden waiver can only count those costs associated with the provision of required paratransit service. A recertification of existing riders will be needed to determine which individuals and which trips are in fact required.

No-Show Suspension Policy

Finally, the regulations permit transit providers to suspend paratransit service to those persons who establish a "pattern or practice" of missing scheduled rides (i.e., "no-show"). Service can be suspended for a "reasonable period of time". Allowances must be made for missed trips that are beyond the control of the individual. The number of no-shows considered a pattern or practice and the period of suspension must be developed through the public participation process required for the development and updating of paratransit plans.

Before service can be suspended for cause under this provision, individuals must be provided with an opportunity to appeal the proposed suspension. A two-stage notification and appeal process is detailed in §37.125(h) of the regulations.

Section 9 of Chapter 3 provides further guidance on no-show policies and includes information about policies established by selected transit agencies.

Chapter 3

Establishing an ADA Paratransit Eligibility Determination Process

The establishment of an appropriate eligibility determination process involves several key decisions. Figure 3 summarizes the basic steps that must be taken to establish a determination process. At the outset, a decision must be made as to the process that will be used. It is then necessary to decide who will conduct initial determinations. An appeal process must be structured and no-show and recertification policies considered. Application materials and forms must then be developed. Public participation in all of these aspects of the process is required.

A management information system for tracking reviews should be created before the process is implemented. Training also should be provided to those involved in the process. Consideration should be given to pre-testing materials before they are widely distributed. Once established and operational, administrative oversight of the process should be maintained, particularly in the initial months.

This chapter details and provides guidance on each of these steps and decisions. Section 1 discusses overall considerations, including public participation in the development of the process and the issue of application/assessment fees and charges. Sections 2 and 3 present alternative processes that can be used for conducting determinations, and discuss issues

Figure 3. Steps in Developing an ADA Paratransit Eligibility Process

- 1. Select the Type of Initial Determination Process to be Used**
- 2. Determine Who will Conduct Initial Eligibility Reviews**
- 3. Design an Appeal Process**
- 4. Establish Recertification Requirements (Optional)**
- 5. Establish a No-Show Policy (Optional)**
- 6. Design Application Forms and Related Materials**
- 7. Design a Management Information System for Tracking Reviews and Appeals**
- 8. Provide Appropriate Training**
- 9. Pre-test Forms and Process**
- 10. Implement Process**
- 11. Monitor Process and Make Changes as Needed**

associated with conducting determination in-house versus contracting with an outside agency or agencies for this service. Section 4 addresses the development of application forms and related materials. Suggestions for the development of application forms and other materials are presented. Issues associated with conducting reviews, providing notification of determinations, structuring an appeal process, and establishing details of a no-show policy and a visitor policy are discussed in Sections 5 through 10.

Much of the information in this chapter is based on the policies, procedures, and materials that have been developed by selected transit providers during the first year and a half of implementation of the complementary paratransit service requirement. Detailed information about eligibility determination was obtained from 25 selected transit providers across the country. Reference is made to these systems throughout this chapter. Appendix C provides a listing of the transit systems contacted, addresses, phone numbers, and contact persons should additional information be desired.

Section 1. General Considerations

Public Participation

Major elements of the process must be developed with full public participation, including a public hearing.⁸ This would include decisions on the overall initial determination process that will be used, the structure of the appeal process, or a decision to establish or change the specifics of a no-show policy. It would also include major changes to the application/assessment form such as the addition or deletion of key questions regarding travel capabilities.

Procedural changes such as the wording of notification letters or minor changes to the layout of forms and other materials can be made without full public participation. Obtaining less formal input is still, however, recommended.

The ongoing mechanism for obtaining the input of persons with disabilities in the development and implementation of the paratransit service should be used throughout. Given the detail involved in developing all aspects of a determination process, consider establishing a small but representative working group to help in the development of draft materials and process recommendations. Make these draft materials and recommendations available to any advisory committee or distribute them to agencies and interested individuals for review and comment. Finally, present the recommended process and materials at a public hearing for broader comment and review. If eligibility materials are to be revised over time, consider combining the review and revision with the required annual ADA paratransit plan update process.

⁸ Public participation requirements are detailed in §37.137 of the regulations.

Conversations with transit providers that have successfully implemented an eligibility determination process suggest that public involvement in the development and implementation of the process is vital. Individuals with disabilities and agency staff can assist with the preparation and testing of materials. They will provide a detailed knowledge about disabilities and travel capabilities and requirements that the transit provider staff do not necessarily have. Involving consumers and agencies will also allow for the development of options for outside assistance with initial reviews and appeals.

For additional guidance on developing a public participation process, see the *ADA Public Participation Handbook*. This document, funded by FTA and prepared through Project ACTION, offers numerous suggestions and readily adapted material for strengthening local public participation.

Public Information and Marketing

In addition to a thorough public participation process, it is highly recommended that a public information/marketing program be developed to educate potential applicants and local disability organizations about ADA paratransit eligibility. The program should utilize a variety of media to reach persons with different types of disabilities, and program materials should be made available in accessible formats. It is likely that individuals and agencies may not fully understand the functional nature of ADA paratransit eligibility, the difference between individual and trip eligibility, the appeal process, or other key issues. Misunderstanding of the nature of eligibility for service can lead to incomplete and/or inappropriate applications, as well as political and customer relations problems.

Communicating the trip-by-trip nature of ADA paratransit eligibility is particularly important. Several transit agencies have reported that individuals are hesitant to use fixed route services for fear this will make them ineligible for ADA paratransit. The public information program should emphasize that paratransit may still be appropriate even if fixed route service can be used some of the time. The eligibility determination process is intended to determine when each mode is appropriate rather than to make an absolute distinction between those who are to use fixed route and those who require paratransit.

Another public perception issue raised by several transit agencies was that applicants often do not provide information about all of the difficulties they may have using the fixed route service. Applicants may think that, as long as the primary difficulty using transit is noted, they will qualify for paratransit and be able to request any trip. It is important that they understand that all difficulties be noted so that appropriate conditions/limitations of eligibility can be determined.

While a public information campaign is recommended in all cases, it is particularly important in the following situations:

- If current paratransit customers are being required to reapply and be recertified as eligible for paratransit service. Differences between past eligibility policy and ADA paratransit eligibility will need to be explained;

- If a broader paratransit service will be provided with priority given to those determined ADA paratransit eligible. In this situation, it is important that the benefits of applying for and being determined ADA paratransit eligible be communicated to all riders.

Some public information and marketing efforts to consider are listed below.

- (1) Develop a brochure that explains ADA paratransit eligibility. It could be displayed with other service materials and mailed to current riders. It could also be displayed at locations which are frequented by the general public and persons with disabilities such as public libraries, municipal buildings, senior centers, aggregate housing locations, social service agencies, and medical facilities. Appendix D contains copies of brochures developed by Seattle Metro, the Regional Transportation Authority of Chicago, and the Riverside Transit Agency of Riverside, California that explain the ADA, ADA paratransit, eligibility, and the appeals process.
- (2) As mentioned in Section 4 of this chapter, include a summary of ADA eligibility with certification materials that are sent to applicants.
- (3) Work with local human service agencies and disability organizations to include information about ADA paratransit eligibility in any publications that they may have. Organizations such as United Cerebral Palsy councils, local chapters of the National Easter Seal Society, commissions for the blind and visually-impaired, commissions for the deaf and hearing-impaired, area agencies on aging, mental health agencies, independent living programs, and state, regional, or local commissions on people with disabilities prepare newsletters which are sent to members and clients.
- (4) Request the opportunity to discuss eligibility issues with the governing boards of human service agencies and disability organizations and to make presentations at any workshops, conferences, or consumer meetings which they may sponsor.
- (5) Make a particular effort to explain the details of ADA paratransit eligibility to the staff of local agencies. Depending on the certification process employed, these individuals may be asked to supplement applicant information or may assist individuals in completing application materials. Even if not involved in the certification process, agency staff who are knowledgeable about eligibility issues will be able to better advise clients.
- (6) Sponsor a special public forum at which ADA paratransit issues, including eligibility, can be discussed. Invite current riders and other interested agencies and individuals as well as advertising it to the general public. A notice of such a forum, prepared by the Worcester Regional Transit Authority, is provided in Appendix D.
- (7) Work with local media to develop public interest stories that help to explain the service and eligibility. Feature a customer who uses the fixed route service for certain trips but has been certified for paratransit service for other trips.

Additional Charges and Fees

Section 37.5 of the regulations, which defines general requirements for nondiscrimination for all aspects of transportation services covered, states that:

"An entity shall not impose special charges, not authorized by this part, on individuals with disabilities, including individuals who use wheelchairs, for providing services required by this part or otherwise necessary to accommodate them." [§37.5(d)]

For determinations of ADA paratransit eligibility, this means that there can be no charges associated with the process, including the filing and processing of applications, any in-person assessments that may be requested, the documentation of eligibility that is provided, or any other aspect of obtaining eligibility.

In particular, if the process involves obtaining information from a professional or an in-person assessment, the transit provider or any third-party contractors acting on behalf of the transit provider cannot impose a fee for this service. If professional information is needed for the initial application to be considered complete, alternatives should be made available should the applicant not be able to obtain this information from a professional or not be willing to incur any costs that might be associated with obtaining this information. For example, the transit provider should make arrangements with local professionals to whom applicants can be referred and the transit agency should pay any fees associated with this service. Transportation to and from any in-person assessments or other appointment required by the process also should be made available to applicants.

Similarly, a fee cannot be charged for the preparation of documentation of eligibility, including photo identification cards. A transit provider may, however, charge a nominal fee, meant to cover the cost of production, for replacement of lost I.D. cards. Local policy concerning such charges should be developed with full public participation, including the input of persons with disabilities.

In addition to prohibiting obvious direct charges, the regulations note that the process may not impose "unreasonable administrative burdens" on applicants.⁹ Repetitive and superfluous documentation, questions, or tests must not be included.

⁹

Appendix D to 49 CFR Part 37, Federal Register, September 6, 1991, page 45746.

Section 2. Alternative Processes

There are several ways that ADA paratransit eligibility determinations can be conducted. In general, the many approaches that have been developed can be characterized as one of the following:

- Self-certification with professional verification as needed;
- Self-certification and professional verification;
- In-person assessment; and
- Combined approaches.

These alternative processes can be conducted either in-house by transit provider staff or can be contracted out and conducted by a third-party agency. It is also possible to conduct some determinations in-house and have third-party assistance available as needed.

The best process and approach to conducting reviews depends on local circumstances. Some alternatives are better suited to smaller systems. Others are more appropriate for larger urban systems. Whether or not a paratransit service was provided prior to ADA complementary paratransit service is also an important consideration in the alternative selected. Each alternative also has its own benefits and issues that must be considered.

Regardless of the approach selected, the goal of the determination process should be the same - to enable the public entity to accurately determine when and under what circumstances the fixed route service can and cannot be used by applicants. Information collected and reviewed must be sufficient to enable the reviewer to identify the relationship between a person's disability and their travel capabilities given factors such as: the accessibility of the fixed route service; the distance to and from stops/stations; environmental factors such as snow, ice, heat, cold; and natural and man-made architectural barriers such as steep terrain, lack of curb-cuts, and busy roads and/or intersections.

Following is a description of each of the alternative processes listed above. For each, general recommendations are made concerning the applicability of the process to different types of systems. Major considerations associated with each alternative are also discussed.

Self-certification with professional verification as needed

This alternative involves the completion of a form by the applicant or a person assisting the applicant. The form which the applicant completes typically includes all of the information required for a determination of eligibility. As part of the form, applicants are requested to identify a professional who can be contacted if more information is needed, and are asked to sign a release authorizing the professional to provide the transit agency with pertinent

information. While the applicant chooses the professional who can be contacted, the transit agency can request the identification of particular type(s) of professionals. Professional verification can be obtained under this model by phone, through the use of a second form which is mailed to the professional by the transit provider, or both.

While it is theoretically possible to establish a determination process that only utilizes information provided by the applicant, it is highly likely that at least some determinations will require more detailed information. Verification of "hidden disabilities" such as cardiac conditions, pulmonary conditions, cognitive disabilities, and mental illness will be needed. It is therefore recommended that the ADA paratransit eligibility determination process allow for professional contact, at least as an option, in all cases.

In addition to contacting the identified professional when additional information is needed, some transit providers will randomly contact named professionals to verify the information provided by applicants. Verification can also be done following certification if there is cause to believe that the information provided by the applicant is not correct.

Applicability

Self-certification with professional verification as needed is used extensively by smaller fixed route operators in small urban and rural areas. It is most appropriate in areas where the size of the system allows transit providers to be familiar with paratransit riders. It is also appropriate in cases where the transit agency offered paratransit services prior to the implementation of ADA service. In these instances, it is likely that the provider already has information about riders, possibly including professional verifications, on file. An ADA paratransit eligibility determination process which does not require professional verification can be used to reduce unnecessary duplication of existing eligibility information.

Considerations

This certification process is perhaps the least burdensome on applicants. Appointments with professionals to have forms completed or to have personal assessments conducted are not required. Greater burden is placed on reviewers, however, as follow-up may be needed if sufficiently detailed information is not provided in the initial application.

If this alternative is selected, particular attention should be given to the 21 day timetable allowed by the regulations for reviewing applications and presumptive eligibility beyond this time. Applications must be considered complete if applicants complete all items on the form and name a professional contact as requested. Any follow-up by reviewers to obtain professional verification would be part of the 21 day review timetable. An initial review and decision whether or not professional information is needed should be made within the first few days after receipt of the application.

Another important issue associated with this approach is getting information from the most appropriate professional. Depending on the nature of an applicant's disability, different types

of professional verification are desirable. For example, for someone with a physical disability, information from a physical therapist or occupational therapist may be most helpful. For an applicant with a vision-impairment, information from an ophthalmologist which can provide the degree of sight which the applicant has may be helpful. It is not always possible, however, to control the type of professional named by the applicant. If allowed, many applicants may provide the name of a personal physician with a knowledge of the person's disability but with little understanding of their ability to travel on the fixed route service.

If possible, applicants should be directed to identify professionals most appropriate to their disability or medical condition. Section 4 of Chapter 3 of this manual suggests wording that can be added to the application form to direct applicants to identify an appropriate professional. It is also possible under this approach to request that a different professional be identified if the person originally listed cannot provide adequate information.

Finally, because this process relies on information provided by the applicant and/or a professional, it is important that they understand the nature of ADA paratransit eligibility. A major issue encountered by transit providers using this form of certification is that applicants/professionals will identify a primary disability or travel limitation but may not detail all problems that may be encountered using the fixed route service. This may be due to the fact that applicants feel they only need to qualify and that they will then receive service as needed. Professionals also may have a tendency to provide cryptic medical information. The introductory section of the form should describe ADA paratransit eligibility in detail. The notion of trip-by-trip eligibility also needs to be made clear so that the applicant and professional understands that detailed information is required in order to identify appropriate eligibility conditions/limitations.

Self-certification and professional verification

In this eligibility determination process, the initial application form contains two parts - one part completed by the applicant (or his/her representative) and the other part to be completed by a professional familiar with the applicant's condition. The information from the professional is requested as part of the initial submission and the application is not considered complete without it. As with the first alternative described above, each applicant selects the professional from which they request additional information. Transit providers can, however, specify the types of professionals that can provide this information.

The professional verification portion of the application is typically designed in one of two ways. In some cases, the questions asked of both the applicant and the professional are very similar and the separate responses are compared for accuracy and consistency by the reviewer. In other cases, the applicant is asked only general information and more detailed information about travel capabilities and the nature of the person's disabilities is included in the professional verification section of the form.

While information is requested from both applicants and professionals under this process,

follow-up may still be required. Contact with the applicant may be needed if a different professional, with a better understanding of the person's functional abilities, is needed. Follow-up with professionals may be necessary if the information provided is not sufficiently detailed to allow a determination to be completed.

Applicability

This process is often used by larger transit providers who, because of the expected volume of certification requests, may find it administratively difficult to do the necessary professional follow-up within the required processing timetable. The inclusion of professional information as part of all applications received can help to facilitate the review process.

It may also be applicable if past eligibility for paratransit service was not functionally based or if information that may be on file as part of past determinations needs to be updated.

Considerations

If this approach to certification is used, transit providers must allow for those instances when applicants are not able to easily obtain information from professionals. While systems report that most individuals are able to obtain the needed information from a professional, there will be some individuals who will not have an ongoing relationship with a professional or may have to pay for this information to be provided.

In order for the process to be consistent with the regulatory prohibition against special charges and unreasonable administrative burdens, professional verification should be requested. Applicants should be instructed to contact the transit provider if professional verification cannot be obtained. A list of appropriate professionals to whom applicants can be referred should be maintained and the cost associated with any required appointments should be paid by the transit provider.

As with "self-certification with professional verification as needed", it is important that an effort be made to obtain information from the most appropriate professional. Applicants can be instructed to provide verification from particular professionals or can be directed to contact a professional appropriate to their disability.

Paratransit eligibility determination prior to the ADA often specified that this type of professional verification be provided by a personal physician. Under the ADA, the use of physicians may not be appropriate in many cases. While personal physicians may be the professionals most readily available to applicants, they may not understand the applicants functional capabilities as well as other professionals. The interpretive appendix to the regulation offers the following advice concerning the use of information from physicians:

"The substantive eligibility process is not aimed at making a medical or diagnostic determination. While evaluation by a physician (or professionals in rehabilitation or other relevant fields) may be used as part of the process, a diagnosis of a disability is not

dispositive. What is needed is a determination of whether, as a practical matter, the individual can use fixed route transit in his or her own circumstances. That is a transportation decision primarily, not a medical decision." [Appendix D to 49 CFR Part 37, Federal Register, September 6, 1991, page 45746]

In certain instances, information from a physician will be appropriate. Verification of a cardiac condition or the degree of vision impairment may, for example, be needed. Transit providers should consider allowing applicants to obtain information from several different types of professionals, including physicians. Direction should also be provided encouraging applicants to obtain information from a professional most appropriate to their particular disability.

It is also important that professionals understand that the verification which they provide is not considered a determination. Eligibility determinations are to be made by transit providers or contractors hired to conduct eligibility determinations. Professionals must understand that they are simply providing information to the reviewers and that they are not being asked to make the determination. This should be made clear on the forms provided. Avoid having professionals answer broad questions which ask them if they think that the person is ADA paratransit eligible. They should not be asked to make a final judgement. This will only cause problems and possible confrontations if the final determination differs from their professional opinion.

Many systems also indicate that information provided by professionals is cryptic and general in nature. Transit providers should make questions concise and explain on the form that detailed information is needed. The concept of trip-by-trip eligibility should be explained and professionals should be informed that the information needs to be of sufficient detail to allow the reviewer to not only determine that paratransit service is needed but to decide when and under what circumstances paratransit service is needed.

In some cases, transit providers will allow human service agencies to provide professional verification for their clients. Such agencies may have conducted assessments of clients to determine their eligibility for other programs. They often will have detailed functional information on file which can be of assistance in the process. Because of the obvious benefit to these agencies of having clients certified for paratransit service, it is recommended that consideration be given to the extent of this type of agency involvement in the process. If the staff of human service agencies are to be used for professional information and verification, transit providers may want to consider limiting the types of agency verifications accepted to those agencies that promote independent living. It is important that agencies authorized to provide verifying information be concerned not just with obtaining a convenient service for their clients but with mainstreaming them. Independent living centers, certain agencies for persons with vision-impairments, and rehabilitation centers are examples of such agencies. As with other types of professional verification, it is important that information provided by these agencies be one factor in the determination rather than being used as a final eligibility decision.

If reviewers used by the transit provider are skilled in interpreting standard human service assessments, another option available under this model would be to request copies of any functional tests which these agencies may have on file.

In-Person Assessments

Under this model, all applicants are required to meet with a reviewer selected by the transit provider. At this assessment meeting, the reviewer will typically ask the applicant a series of questions, similar to those contained in an application form, meant to determine the person's disability and ability to use fixed route service. Often, the reviewer will also elaborate on standard questions to get more detailed information as appropriate. In addition to a face-to-face interview, in-person assessments may also involve the administration of functional tests. These may include physical tests such as the ability to board and disembark from an inaccessible bus, use a wheelchair-lift, or see and read signs or other visual information. It may also involve administering standard cognitive tests to determine the applicants ability to perform tasks such as asking for and following directions.

Because of the skill required to administer and interpret detailed tests and draw immediate conclusions from such assessments, determinations under this process are typically performed by third-party agencies under contract to the transit provider. Transit providers may also work with contractors to develop testing centers containing equipment needed to simulate travel on the fixed route system. The Transit Authority of River City (TARC) in Louisville, Kentucky, for example, has created a testing center at a local rehabilitation center that is equipped with a specially constructed bus stop and a spare bus. The site also contains sidewalks with varying terrain and varying surfaces. For applicants with visual impairments, the site includes typical transit signage and symbols and can simulate varying degrees of light and darkness. For applicants with mental disabilities, a cognitive and orientation assessment is conducted by a clinical psychologist.

In addition to information collected by the reviewer, the process may require applicants to complete a general information form and sign necessary releases/certifications.

Applicability

In-person assessments may be particularly applicable in larger urban systems with complex fixed route services. The in-person process is able, in these circumstances, to obtain detailed information about using various parts of the system that may be difficult or complex to collect on standard application forms.

This approach may also be more appropriate in areas that did not provide paratransit service prior to the ADA. While transit providers with established paratransit services and longstanding customers may not deem it necessary to require all riders to undergo an in-person assessment, new systems will have no past record of riders to rely on. New riders may also be more amenable to an in-person assessment process.

Considerations

The use of in-person assessments has many advantages. It allows eligibility determination to be done by a limited number of professional who can be trained by the transit provider. Obtaining information from an appropriate professional, which is a major concern in self-certification/professional verification models, is eliminated. In-person assessments also are not bound by standard application questions. The process can be more personalized to the person's particular disability. Even though standard questionnaires are used to guide the process, reviewers can ask follow-up questions as needed.

This process also allows reviewers to explain ADA paratransit eligibility in-person and to answer questions about eligibility which the applicant may have. The applicant also has an opportunity to request clarification of questions before providing an answer. The information received is therefore more likely to be complete and accurate.

Because of the degree of flexibility which reviewers may have, it is important that efforts be made to maintain consistency in the process. Transit providers should consider establishing standards for the types of professionals who are used as reviewers. Detailed training of reviewers is also vital.

Perhaps the greatest drawback to requiring in-person reviews in all cases is that many applicants may have disabilities which do not require such elaborate assessments. To many applicants, such a required process may seem an unnecessary and burdensome procedure.

Another issue with this type of process is assessing disabilities that are intermittent or episodic. A single visit and review may not generate the same level of information about a person's capabilities that may be available to a professional who has worked with the individual for years. Consideration should be given, in such cases, to obtaining supplemental information from a professional identified by the applicant.

Similarly, an assessment of cognitive ability based on a single visit or series of tests may not be as complete as information which can be obtained from the person's social worker or mental health counselor.

Finally, it may be difficult to simulate all environmental conditions which may affect a person's ability to use fixed route service. The limitations of certain physical tests need to be considered and the applicability of these tests to the process carefully weighed against the cost of their administration and inconvenience to the applicant. Regardless of the sophistication of the tests administered, information obtained in the personal interview is likely to still be an important part of the determination.

Combined Approaches

In addition to the basic approaches described above, eligibility determination can also be conducted by combining the features of each of these processes. Table 2, presented at the

end of this section, includes information about the processes used by several selected transit providers across the country. As can be seen, many different combined models are possible.

Perhaps the combined model that is most widely used combines self-certification/professional verification with in-person assessments as needed. For example, the Madison Metro Transit System in Madison, Wisconsin relies primarily on a self-certification process which asks applicants to identify a professional that can be contacted for verification and additional information. Metro's in-house reviewers will seek verification as needed. Metro also reserves the right to ask applicants to appear in-person for an assessment by a local rehabilitation center.

Several providers, including Lane Transit District, Baltimore's MTA, Seattle METRO, and the Utah Transit Authority obtain information from both the applicant and a professional ("self-certification and professional verification"). In addition, they will refer applicants for an in-person assessment if a final determination is still not possible.

The Riverside Transit Agency (RTA) requires an in-person assessment in most cases. They will, however, accept professional verification from applicants with severe mental retardation. An in-person assessment is not required if a psychological evaluation is provided which indicates severe mental retardation and has been signed by 4 or more professionals of the regional mental health program. It is also interesting to note that the RTA has arranged for in-person assessments to be conducted either at the local clinic or at the applicant's home.

The Regional Transportation Authority of Chicago, which will be administering eligibility determinations for CTA and PACE, combines self-certification with in-person assessments as needed. A similar process is being established by the New York City Transit Authority.

It is interesting to note that in systems that employ "combined" processes using both self-certification/professional verification and in-person assessments, relatively few in-person reviews are necessary. As shown in Table 2, 90 percent of all determinations can typically be completed based on the information supplied by the applicant and/or the named professional. Seattle Metro, for example, has found it necessary to refer only 5 percent of all applicants for an in-person assessment. The Utah Transit Authority relies on in-person reviews in 7 percent of all cases. The Lane Transit District, located in a medium sized urban area, finds in-person assessments necessary in only 1 percent of all determinations.

As transit providers complete recertification efforts and begin doing determinations of new riders, in-person assessments may become more important. Madison Metro reports, for example, that during the process of recertifying existing riders, only 10 percent of all determinations of existing riders required in-person reviews. Following the recertification of existing riders, in-person assessments have been deemed necessary in 25-30 percent of all determinations.

Another model developed by the Port Authority of Allegheny County's ACCESS Program in

Pittsburgh combines in-person assessment with professional verification. An in-person assessment is required in all determinations. In addition, applicants who receive services from a local human service agency are also encouraged to bring verification information from that agency to the assessment. PAT provides a "Professional Verification" form to applicants for this purpose.

Finally, the Oshkosh Transit System in Oshkosh, Wisconsin uses a self-certification with professional verification as needed process but also relies heavily on two local human service agencies for verification of eligibility. The Oshkosh Transit System recently consolidated local paratransit services and assumed operating responsibility from the local Red Cross and the County Committee on Aging. As the past operators of service, these two agencies were familiar with existing riders. The Oshkosh Transit System therefore accepts professional verification from these two agencies for all existing riders seeking ADA paratransit eligibility.

Applicability and Considerations

Combined models may be appropriate in any number of situations. The use of in-person assessments as needed or professional verification to supplement an in-person review process may be needed to strengthen the original process. As experience is gained with the eligibility determination process, transit providers and their reviewers may discover that these additional steps are needed to ensure the accuracy and consistency of determinations.

Depending on the features combined, the issues noted above for each of the basic processes would apply.

Considerations for Future Recertification of Riders

As noted in Chapter 2 of this manual, the regulations permit transit providers to require periodic recertification of riders. It is possible that the process used for this recertification will be different from that used in the initial determination or to certify new riders.

For example, if a self-certification/professional verification process was used for initial determinations, it may be possible to forward the information that was originally provided by the applicant and request that they indicate whether this information is still current and correct. Updating of the original form may also be supplemented by a limited number of new questions. Applicants could be asked if the professional who provided the initial verification is still the appropriate person to contact and new verification could be sought only in those cases where significant changes in capabilities are noted.

Transit providers using an in-person assessment process for all initial determinations could opt to not require another detailed review but instead could use a self-certification type of form that asks if the persons disability or ability to use the fixed route service has changed. In-person assessments may be limited to those recertifications where significant changes are noted.

Table 2. Eligibility Determination Processes Used by Selected Transit Providers

Name of Transit Provider	Type of Determination Process	Determination Performed by	% Determination Referred to Outside Contractor(s)	Cost per Contract Review (in-house costs are not included)
Ann Arbor Transportation Authority Ann Arbor, MI	Self-certification and professional verification.	In-house	N/A	N/A
Ben Franklin Transit Richland, WA	Self-certification with professional verification as needed	In-house	N/A	N/A
City of Charlotte Charlotte, NC	Self-certification and professional verification.	In-house	N/A	N/A
Delaware Administration for Specialized Transportation (DAST) Dover, DE	Self-certification and professional verification	In-house	N/A	N/A
Greater Bridgeport Transit District Bridgeport, CT	Self-certification with professional verification as needed.	In-house	N/A	N/A
Greeley, CO	Self-certification with professional verification as needed.	In-house	N/A	N/A

Table 2 continued

Name of Transit Provider	Type of Determination Process	Determination Performed by	% Determination Referred to Outside Contractor(s)	Cost per Contract Review (in-house costs are not included)
Lane Transit District Eugene, OR	Combined: Self-certification and professional verification with in-person assessment as needed.	Initially by paratransit contractor. Referred as needed to one of two OT's under contract.	1 %	\$30-\$50 per hour (one hour review medical)
Los Angeles County Metropolitan Transportation Authority Los Angeles, CA	In-person assessment	"Certification Analysts" selected by LACMTA - either registered nurse with at least two years experience; physical therapist; occupational therapist; or clinical social worker.	100 %	Initial review: \$27.60
Madison Metro Transit System Madison, WI	Combined: Self-certification with professional verification and/or in-person assessment as needed.	Initially in-house. Referred to Rehabilitation Center as needed	10 % during re-certification, 25-30 % ongoing	\$120 per in-person assessment
Mass Transit Administration (MTA) Baltimore, MD	Combined: Self-certification and professional verification with in-person assessment as needed.	In-house	N/A	N/A

Name of Transit Provider	Type of Determination Process	Determination Performed by	% Determination Referred to Outside Contractor(s)	Cost per Contract Review (in-house costs are not included)
Municipality of Metropolitan Seattle (METRO) Seattle, WA	Combined: Self-certification and professional verification with in-person assessment as needed	Initially in-house, referred to Evergreen Medical Center as needed.	5%	Cognitive Test: \$82 Physical Test: \$82 Both: \$164
New York City Transit Authority New York, NY	Self-certification with in-person assessment as needed	In-house review of self-certification information. Assessments by third-party contractors to be determined.	N/A (process only recently implemented)	N/A
OMNITRANS San Bernardino, CA	Self-certification with professional verification as needed. Also, doing random verifications to check accuracy of self-certifications.	In-house	N/A	N/A
Oshkosh Transit System Oshkosh, WI	Self-certification and professional verification. Work closely with previous operators - the Red Cross and County Committee on Aging for professional verification.	In-house	N/A	N/A

Table 2 continued

Name of Transit Provider	Type of Determination Process	Determination Performed by	% Determination Referred to Outside Contractor(s)	Cost per Contract Review (in-house costs are not included)
Port Authority of Allegheny County (PAT); ACCESS Program Pittsburgh, PA	In-person assessment and professional verification	Local Chapter of the Easter Seal Society; Behavior Neuropsychology Associates, Inc; and a network of orientation and mobility specialist for persons with vision impairments	100%	\$20
Regional Transportation Authority (for CTA/PACE) Chicago, IL	Self-certification with in-person assessment as needed	In-house review of self-certification information. Assessments by local non-profit organizations with occupational and physical therapists on staff who are often involved in administering eligibility screening for human service programs.	N/A (process only recently implemented)	\$150
Riverside Transit Agency Riverside, CA	In-person assessment or professional verification (for persons with severe mental retardation).	Local medical clinic.	100%	\$62 for reviewat clinic; \$85 for assessment at home.
SAMTRANS San Mateo County, CA	Self-certification with professional verification as needed	In-house	N/A	N/A
Southeastern Pennsylvania Transportation Authority Philadelphia, PA	Self-certification and professional verification	In-house	N/A	N/A

Table 2 continued

Name of Transit Provider	Type of Determination Process	Determination Performed by	% Determination Referred to Outside Contractor(s)	Cost per Contract Review (in-house costs are not included)
Transit Authority of River City (TARC) Louisville, Kentucky	Self-certification with in-person assessment as needed	Initial review is in-house. Assessments conducted by local rehabilitation center	10%	\$105
Utah Transit Authority Salt Lake City, UT	Combined: Self-certification with in-person assessment as needed.	In-house initially. Referral as needed to either: State Services for the Visually-Impaired; University Spine Rehabilitation Center; or local mental health agencies and associations for retarded citizens.	7%	State Services for the Visually-Impaired: \$0 Others: \$25
Washington Metropolitan Area Transportation Authority (WMATA) Washington, DC	Self-certification and professional verification.	Will be third party contractor.	100%	N/A
Waukesha Transit System Waukesha, WI	Self-certification with professional verification as needed.	In-house	N/A	N/A
Worcester Regional Transit Authority Worcester, MA	Self-certification and professional verification.	Three independent rehabilitation specialists under contract to the authority review forms.	100%	\$35/hour (initially 2/hour; recently 5-10/hour).

Section 3. Deciding Who Will Do Initial Determinations

A second major decision that must be made when designing an eligibility determination process is who will actually review application materials or conduct in-person screenings. The basic choice is to either conduct initial determinations in-house, using staff of the public entity, or to contract with a third-party to perform this service. It is also possible to involve staff in part of the process and utilize outside help for specific functions as needed. Issues related to each of these options are discussed below. The approach taken by selected transit providers is also presented in Table 2 in the previous section.

In-House Determinations

If eligibility decisions are to be made by in-house staff, it is important to be sure that this staff has the capabilities and qualifications to make accurate and consistent determinations. While ADA paratransit eligibility is a functional transportation-related decision, it also involves relating specific types of disabilities to reported functional capabilities. A knowledge of various types of disabilities and the likely functional capabilities of persons with such disabilities is, therefore, important.

Public entities which operated paratransit services prior to the ADA and have been conducting eligibility determinations may already have staff with such capabilities. Others may elect to hire new staff or train existing staff to handle this job. Consideration should also be given to combining the task of doing ADA paratransit eligibility determinations with other similar in-house tasks. For example, it may be possible to combine the job of ADA eligibility determinations with the review of applications for reduced fare cards. If an in-house travel training program is developed, staff in this program could also assist with determinations of eligibility. A medical officer hired to work on drug and alcohol testing might also be a good person to involve in the eligibility determination process.

In-house determinations are more common among providers that have elected to use either a self-certification with professional verification as needed or a self-certification with required professional verification system. It is also common among smaller providers and providers which offered paratransit services to persons with disabilities prior to the ADA.

Utilizing Contract Reviewers

It is likely that there are a variety of local organizations in the area that could be hired to either do or assist in initial eligibility determinations. This might include a clinic that employs occupational or physical therapists, a rehabilitation center, an independent living center or program, a rehabilitation center, or a visiting nurses program. If it is determined that in-house staff capabilities are not adequate, or if the impartiality of having an organization other than the transit provider is an important consideration, contracting with

one of these organizations may be appropriate.

When selecting a third-party contractor for eligibility reviews, consider both the capabilities of the employees of the agency as well as the general philosophy and mission of the agency. Figure 4 on the following page identifies several types of professionals that can assist in the process. Certain professionals will have the skills necessary to perform determinations of functional capabilities. Others will be most helpful in verifying the nature and extent of particular disabilities. Note in particular the capabilities of physiatrists. Doctors of physiatry specialize in the mobility and travel capabilities of persons with disabilities - skills ideally suited to ADA paratransit certification. Physiatry is a narrow specialty, however, and such doctors may not be available in many areas. If there are physiatrist(s) in the area, consideration should be given to involving them in the process - either to assist with development of the process or to assist with actual determinations. Doctors of physiatry may be particularly well suited to assisting with appeals, for example. Occupational therapists are also well suited to determine capabilities associated with activities of daily living.

In addition to considering the type of professional to be used, transit providers may want to develop specific qualifications for reviewers who may be proposed or used by third-party contractors. As noted in Table 2, for example, the Los Angeles County Metropolitan Transportation Authority includes certified nurses in the list of professional that can be "Certification Analysts" but requires persons in this profession to have at least two years of experience.

When involving human service agencies in the process, consider any conflicts or biases which may exist - particularly with agency clients. Organizations which support the concept of independent living and mainstreaming of persons with disabilities are also more likely to make determinations which strictly limit eligibility to those who are unable to use the fixed route system.

Third-party contractors can be particularly appropriate if a large number of existing paratransit riders are to be recertified as part of the implementation of the program. Conducting a large-scale recertification process in-house may require several reviewers who would only be used for a limited period of time. The scope of a third-party contract, on the other hand, could be adjusted to meet the particular demand.

Third-party review contractors also should be considered if it is decided that the determinations will be done through in-person assessments. Correctly interpreting responses to questions and/or the results of specific tests may require skills not available in-house. Both of the transit providers contacted as part of the preparation of this manual which require in-person assessment in all cases utilized third-party reviewers. The Port Authority of Allegheny County's ACCESS Program utilizes the local chapter of the Easter Seal Society, a local neuropsychology agency, and a network of orientation and mobility specialists for persons with vision-impairments. Los Angeles has developed a network of "Certification Analysts" representing various professions.

Figure 4. Examples of Types of Professionals that can Assist with Eligibility Determinations

Examples of types of professionals who can assess the functional capabilities of individuals to use fixed route transit services include:

Clinical Social Workers: Persons who provide psychiatric social work assistance to mentally or emotionally disturbed patients of hospitals, clinics, or other medical centers, and to their families. Will investigate case situations and present information to a psychiatrist. Help patients to respond constructively to treatment and assist in adjustment leading to and following treatment. Serve as link between patients, psychiatric agency, and community. Usually required to have knowledge and skill in casework methods acquired through degree program at school of social work.

Independent Living Specialists: Individuals who work with independent living programs or centers to provide special education and training to persons with disabilities in the performance of all or most activities of daily living.

Occupational Therapists: Persons who use purposeful activity to treat individuals who are limited by physical injury or illness, psychosocial dysfunction, developmental or learning disabilities, poverty and cultural differences, or the aging process to maximize independence, prevent disability, and maintain health.

Physiatrists: Physicians who test the physical functioning of a person and supervise the person's rehabilitation program.

Physical Therapists: A person who is licensed to assist in the examination, testing, and treatment of persons with disabilities through the use of special exercise, or other techniques.

Rehabilitation Specialists: Persons who assist individuals in regaining normal or near normal functional capabilities after a disabling disease, injury, addiction, or incarceration.

Examples of professionals that can assist in verifying the nature and extent of disabilities include:

Audiologists: Persons who specialize in the physiology, anatomy, and pathology of the ear and the diagnosis and treatment of disorders of the ear.

Ophthalmologists: Physicians who specialize in the physiology, anatomy, and pathology of the eye and the diagnosis and treatment of disorders of the eye.

Physicians: Health professionals who have earned a degree of Doctor of Medicine (M.D.) after completing an approved course of study at an approved medical school. Physicians can be trained in general medical practice, or in specialized areas of medicine.

Psychologists: Persons who specialize in the study of the structure and function of the brain and related mental processes. A Clinical Psychologist is one who is qualified by graduate degree in psychology and training in clinical psychology and who provides testing and counseling services to patients with mental and emotional disorders.

Registered Nurses: A professional nurse who has completed a course of study at a state approved school of nursing and passed the National Council Licensure Examination.

Sources: *Mosby's Medical, Nursing, and Allied Health Dictionary*, the C.V. Mosby Company, 1990; and, *Dictionary of Occupational Titles*, Volume 1, Fourth Edition, U.S. Department of Labor, 1991.

In-House Determination with Third-Party Assistance as Needed

It is also possible to combine an in-house staff review with the option to obtain third-party assistance as needed. A significant percentage of the reviews of eligibility may be relatively straightforward. In-house staff may be able to easily make determinations in these cases. Other applications or assessments may be more difficult. In these cases, the application material can be forwarded to a contract reviewer for further review and recommendation. If information forwarded by the applicant or the named professional is not sufficient to make a determination, it may be desirable to request that the person appear in person for a more in-depth assessment. Such assessments can then be contracted out.

Many of the transit providers contacted as part of the preparation of this manual used third-party reviewers as needed. The Utah Transit Authority utilizes a self-certification with professional verification as needed process. In-house staff have been able to determine eligibility in 93 percent of the cases using information initially submitted and follow-up information obtained from named professionals. In the remaining instances, applicants have been requested to participate in in-person assessments conducted by several local organizations. The assessment is done by an agency familiar with the particular disability of the applicant. The UTA utilizes the Spine Rehabilitation Center of the University of Utah, the State Services for Visually Impaired, and local Associations for Retarded Citizens to conduct assessments. Seattle Metro, which utilizes a self-certification with required professional verification process, works with the occupational and physical therapists at a local medical center when in-person assessments are required. Metro reports that 5 percent of all applicants are referred to the Center for in-depth assessments.

One consideration in using third-party review contractors, either as needed or in all cases, is the cost of these services. The cost of contracting out for this service must be compared to the costs that would be incurred if in-house staff performed this function. Current availability of qualified staff, training costs, and long-term employment issues must all be considered. Table 2, included in the previous section of this manual provides a summary of cost information obtained from providers who utilize third-party review contractors. As can be seen, costs range from about \$18 to \$164 per review, depending on the type of review performed. In person assessments contracted by Lane Transit, Los Angeles, Madison Metro, Seattle Metro, Riverside Transit, and the Utah Transit Authority range from \$25 to \$164. It appears that assessments done only as needed (implying a lower volume) may be more expensive while assessments of all riders in Pittsburgh and Los Angeles are considerably less expensive (\$20 - \$30). The transit provider that contracts for the review of self-certification forms, Worcester Regional Transit Authority, reported that this service costs approximately \$18 per review.

It may also be possible to lower the cost of needed assessments by working with other available public agencies. The Utah Transit Authority, for example, refers individuals with vision impairments to the State Services for the Visually-Impaired. This state agency has agreed to conduct assessments free of charge.

Reviewer Training

Regardless of whether determinations are conducted in-house or by a third-party, it is important that those involved in the determination are adequately trained. As noted above, in-house staff may have an adequate knowledge of the existing transit system but may need training regarding types of disabilities and their functional characteristics. Such training could be provided by local organizations. Sensitivity training materials, such as that developed by the Rural Transportation Assistance Program, may also be helpful.

Third-party staff may need a more complete understanding of the services offered on the fixed route system. They may not be aware, for example, of the extent of accessibility and driver assistance that is now offered. They may also not be aware that individuals with ambulatory impairments are permitted to enter the vehicle by standing on the lift.

Both in-house and third-party staff should also be given thorough instruction about ADA complementary paratransit and ADA paratransit eligibility. A complete understanding of the concepts discussed in Chapter 1 of this manual will be needed.

Section 4. Developing Application Forms and Materials

Once decisions have been made concerning the process to be used and the persons or agencies that will actually conduct reviews, the next step in the process is to develop application/assessment forms and related materials. This section discusses the development of this material.

Before addressing the development of application material, it is important to note two general considerations - accessible formats and terminology - that apply to all forms and materials. These are discussed below.

Accessible Formats

As noted in Chapter 1, the regulations require that all information about the eligibility determination process, including materials necessary to apply, notifications of determinations, and other related correspondence be made available in accessible format upon request. This could include large print, audio tape, braille, or computer disk. The requested format does not always have to be provided, but the format provided must be usable and appropriate for the purpose.

While all materials must be available in accessible formats upon request, transit providers can require that application be made in a standard format. Making information available in accessible formats does not mean that applications and information must be accepted on tape or in braille.

Even though individuals may be asked to complete a standard form, providing the form and related information available in an accessible format is important. It allows individuals to study the information and questions. This allows for a better understanding of ADA eligibility and the process for applying than could be obtained by having the information read over the phone.

As part of the application process, transit providers should determine if applicants would like to have future correspondence sent in an accessible format. The application should also ask if another person assisted in the completion of the form(s). The determination letter and other correspondence could then be sent to this other person as well.

In some cases, it may be necessary to provide documentation of ADA paratransit eligibility in a standard as well as an accessible format. A standard letter or pass would be needed as proof to present to other transit agencies if the person traveled to another area. Providing the same information in an accessible format would be important if the person needed to periodically refer to the exact conditions associated with their eligibility.

Terminology

Several of the transit providers contacted reported that many of the modifications made to original materials related to terminology. Applicants had difficulty understanding the questions being asked. Much of this difficulty was due to the inclusion of industry jargon in the application or other materials.

Particular attention should be given to using terminology that can be easily understood by the general riding public. For example, applicants and professionals providing verification may not understand what a "paratransit" service is or even what the "fixed route" system is. Use terms such as the "regular city buses" or "van service" and refer to services by their public name, such as "ACCESS-A-RIDE" or "OMNITRANS". The public also may not fully understand what an "accessible" bus is. Provide more detail on the features of the vehicle or use terms such as "wheelchair-lift-equipped".

Transmittal/Cover Letter

If the process selected involves sending application forms to individuals and/or professional for completion, it is strongly recommended that a detailed transmittal letter explaining the material and ADA paratransit eligibility be developed and included. The transmittal letter should include:

- a summary and description of the material attached and instructions for completing and submitting the forms;
- A concise and clear description of ADA paratransit eligibility; and
- A description of the fixed route transportation services provided, particularly policies designed to facilitate use by persons with disabilities.

Particular attention should be given to explaining the trip-by-trip nature of ADA paratransit eligibility. It is important that individuals and professionals realize that the process is intended to determine not only if they require paratransit service but when and under what conditions they require paratransit service. It should be stressed that in order to make a complete and accurate decision, detailed information about their travel capabilities is needed.

Information about the fixed route service should include the latest changes made to improve accessibility. Describe the level of accessibility in the fleet, improvements in signage, recent driver training efforts, new policies such as the standee policy and the bus stop announcement policy. Also describe available services such as route identifier or destination card systems that are available. Many applicants may have a preconceived notion about the service or may have attempted to use the service when there was a low level of accessibility and/or operational problems with the service.

Application/Assessment Forms

Once a decision has been made about the type of process to be used and the person(s) who will conduct determinations, a form or forms will have to be developed for obtaining information, either by mail or in person, from individuals requesting ADA paratransit eligibility certification. This form or set of forms can be completed by the applicant, a professional verifying the applicant's disability and capabilities, an evaluator conducting an in-person assessment, or a combination of these people. The information obtained will then be used to determine whether or not the person is ADA paratransit eligible and under what conditions they require complementary paratransit service.

Regardless of the type of determination process selected, the same basic information should be collected. This includes:

- General information about the applicant;
- The nature of the person's disability or disabilities;
- The person's ability to use the fixed route service;
- Information which may be needed for operations; and
- Administrative information needed to complete the determination.

How the form(s) and questions are organized depends on the type of review process used. In a "self-certification with professional verification as needed" process, the form completed by the applicant is typically comprehensive. All of the basic information needed is requested of the applicant. In a "self-certification and professional verification" process, the applicant is often only asked for general information and some basic information about their disability and travel capabilities. The professional is then asked more detailed questions about the exact nature of the person's disability and functional capabilities. In "in-person assessment" processes, the applicant may be requested to file a form with general information. The professional(s) conducting the assessment then complete the more detailed form based on their discussion with the applicant and/or functional tests that are administered.

The type of questions used can also vary. Some forms use open-ended questions that rely on applicants to clearly detail their situation and capabilities. Other forms are more detailed and use multiple choice answers to guide the applicant in providing information in the required level of detail. The approach used will depend on local needs and circumstances. It is important, however, that if open-ended questions are used, applicants and/or professionals are clearly instructed to provide enough detail to describe all of the factors that affect their use of the fixed route service. Similarly, if directed, multiple-choice questions are used, the possible answers suggested must be comprehensive.

Several sample forms, developed by transit providers which use various determination processes, are included in the appendices to this manual. A summary of the sample forms included and the type of process within which they are used is provided on the following page.

APPENDIX	TRANSIT PROVIDER	TYPE OF PROCESS
E	San Mateo County Transit District (SAMTRANS) San Carlos, CA	Self-certification with professional verification as needed
F	Madison Metro Transit System Madison, Wisconsin	Self-certification with professional verification and in-person assessments as needed
G	Utah Transit Authority Salt Lake City, Utah	Self-certification with in-person assessment as needed
H	Worcester Regional Transit Authority Worcester, Massachusetts	Self-certification and professional verification
I	Municipality of Metropolitan Seattle (Metro) Seattle, Washington	Self-certification and professional verification with in-person assessment as needed
J	Washington Metropolitan Area Transportation Authority (WMATA) Washington, D.C., Northern Virginia, and Suburban Maryland	Self-certification and professional verification
K	Delaware Administration for Specialize Transportation (DAST) Dover, DE	Self-certification and professional verification
L	Regional Transportation Authority (for CTA and PACE) Chicago, IL	Self-certification with in-person assessment as needed
M	Port Authority of Allegheny County (PAT) Pittsburgh, Pennsylvania	In-person assessment and professional verification

Following is a summary of the type of information that can be collected in each of the basic sections of the application/assessment form. Sample questions are also provided.

General Information

The first part of the form should request information about the applicant. Following is the type of information that is commonly requested in this first part of the application form.

- the applicant's name
- street address, apartment number, city/town, state, and zipcode
- mailing address (if different)
- telephone number, including home and work number, and TDD number (if applicable)
- Social Security Number (optional)¹⁰
- date of birth
- the name and phone number of a person to be contacted in an emergency and the relationship of this person to the applicant

To assist in communicating with the applicant in the future, many forms also ask if applicants would like communications to be sent in an accessible format. For example, the following question could be included:

Do you need written information given to you in a different way?

Yes (specify below):

Large print

Braille

Audio tape

Other: _____

NO

You can also call (agency phone number) if you need assistance completing this form.

A question such as the following can also be included to determine if communication in another language would be helpful. This question should be tailored to include the

¹⁰ The federal privacy act of 1974 requires that individuals be notified that disclosure of their social security number is voluntary.

languages, other than English, that are common to the area.

Language Ability (please check all that apply)

English Spanish

Other (specify) _____

Questions about Mobility Aids Used

Application/assessment forms also should include a section which requests information about the types of mobility aids used by the applicant following the "General Information" section. This information is not only useful in the eligibility determination process but is important information that will be needed in daily operations should the applicant be determined eligible for service. As shown in the sample question below, information about mechanical aids, life support, as well as service animals should be requested. It may also be helpful to request detailed information about the type, size, and weight of wheelchairs to determine if the applicant uses a "common wheelchair"¹¹. Some forms indicate prior to this question that the information is needed to ensure that appropriate paratransit service is provided.

Which of the following mobility aids do you use? (please check all that apply)

<input type="checkbox"/> Cane	<input type="checkbox"/> Manual wheelchair	<input type="checkbox"/> Service animal
<input type="checkbox"/> White cane	<input type="checkbox"/> Powered wheelchair	<input type="checkbox"/> Picture board
<input type="checkbox"/> Walker	<input type="checkbox"/> Powered scooter/cart	<input type="checkbox"/> Alphabet board
<input type="checkbox"/> Crutches	<input type="checkbox"/> Boarding chair	<input type="checkbox"/> Portable oxygen
<input type="checkbox"/> Prosthesis	<input type="checkbox"/> Transfer board	<input type="checkbox"/> None of these
<input type="checkbox"/> Other (please describe) _____		

If you use a manual or powered wheelchair or scooter, what make and type is it?

If you use a manual or powered wheelchair or scooter, is it more than 30 inches wide, more than 48 inches long, or does it, when in use, weigh more than 600 pounds?

Yes No

¹¹ Section 37.165(b) of the USDOT regulations require transit providers to transport all "common wheelchairs". A common wheelchair is defined as a device which does not exceed 30 inches in width and 48 inches in length measured two inches above the ground, and does not weigh more than 600 pounds when occupied. Wheelchairs which exceed these dimensions and weight do not have to be transported.

Information can also be requested in this section about the applicant's need for a personal care attendant (PCA). When asking about the need for a PCA, it is important to note that assistance may be needed at the final destination, not just in transit. It is also important to consider that some applicants, particularly frail elders, may not consider those who assist them to be "PCAs" or "attendants". General language, as shown below, may be appropriate.

<p>Do you need to travel with someone who assists you?</p> <p><input type="checkbox"/> Always <input type="checkbox"/> Sometimes <input type="checkbox"/> No</p> <p>If you travel with someone who assists you, does this person assist you in:</p> <p><input type="checkbox"/> Getting to or from bus stops/rail stations</p> <p><input type="checkbox"/> Getting on or off the bus</p> <p><input type="checkbox"/> To help me when I get where I am going</p> <p><input type="checkbox"/> Other (describe)_____</p>

Additional information about the need for attendants can be requested if there is particular concern about this issue. The Port Authority of Allegheny County, for example, requires applicants to complete and sign a "Personal Assistance Certification" (see Appendix M).

Questions about the Applicant's Disability

Complementary paratransit service is required if trips cannot be made on the fixed route system due to a person's disability. In order to verify that a person's inability to use the fixed route service is due to a disability, the application/assessment form should include a question or questions requesting information about the nature and extent of the applicant's disability. This could include a functional description of the disability (e.g., "Difficulty Walking", or "Vision Impairment"), a medical diagnosis (e.g., "Cerebral Palsy", or "Glaucoma"), or both. For sensory impairments and hidden disabilities, it may also be helpful to obtain information about the extent of the disability (e.g., the degree of vision loss or the mental/cognitive disability). Questions that determine if the disability is temporary or if it is episodic (the effects vary over time) can also be included here.

If the process selected involves getting information from the applicant as well as from a professional, general information (functional descriptions) can be obtained from applicants and more detailed information (degree of impairment, diagnosis, etc.) can be obtained from the professional.

The type of information requested should also match the expertise of those responsible for conducting reviews. If non-medical, in-house transportation staff will be reviewing application forms, request applicants and/or professionals to describe the disability in non-clinical terms.

It is important to realize that many applicants may have multiple disabilities that affect their

ability to use fixed route service. Questions should be structured to encourage applicants to list all applicable conditions.

Information can be obtained using general open-ended questions or detailed multiple-choice questions. For example, many forms begin this section by asking:

What is the health condition or disability which prevents you from using the regular bus service? (Please list all applicable conditions/disabilities)_____

Is this condition/disability temporary?

No Yes

If Yes, what is the expected duration of this condition/disability? _____ months

Does your condition/disability change from day-to-day in ways that affect your ability to use the regular bus (rail, subway) service?

No Yes (Please explain)_____

Information on the type of disability can also be obtained by providing applicants with detailed lists of various conditions/disabilities and asking them to check all that apply. The application form used by Seattle Metro (see Appendix I) includes such a comprehensive list.

Questions/Functional Tests Regarding Travel Capabilities

Perhaps the most critical part of the application/assessment form is the section that requests information about the person's functional capabilities as they relate to using the fixed route service. Questions in this section should be designed to reflect the functional capabilities needed to use the local transit system. They also should allow applicants to explain how environmental and architectural barriers affect their ability to travel. Finally, it is important that questions be detailed enough to enable reviewers to determine not only if the person is ADA paratransit eligible but under what conditions they need to use paratransit.

As in previous sections, information can be obtained using general questions, detailed lists, or both. For example, the following general question could follow one regarding the nature of the person's disability:

Please explain how your disability prevents you from using regular bus (rail) service?

This general question could then be followed by more detailed questions that ask specific questions about the capabilities associated with using the fixed route service. These questions can be organized around the regulatory categories of eligibility or the four "tests" detailed in Chapter 4 of the *ADA Paratransit Handbook*. When structuring this section, simulate the decisions that must be made and actions that must be taken to make trips on the fixed route system and consider the environmental and physical barriers that might prevent a person with a disability from making a trip.

In order to identify conditions under which travel is and is not possible, ask not only if applicants are or are not able to perform certain functions, but allow for a "Sometimes" response and follow this with a request for an explanation of barriers that can prevent travel.

The types of questions asked in this section will vary somewhat depending on the local transit system. Transit providers that operate rail as well as bus services should consider questions about climbing flights of stairs in addition to getting on and off of vehicles. Assessing an applicant's capability to learn the system and make complex connections and transfers will also be important.

Depending on the type of process used, some questions can be asked of applicants and other may be more appropriate for professionals asked to provide an assessment of the applicant's abilities. Certain questions about cognitive ability, in particular, may be more appropriately addressed to a professional.

The general categories of capabilities that should be considered and sample questions that could be used are presented below. In several categories, two sample questions are provided - an open-ended question and one that is more structured.

The ability to obtain information about the fixed route service and to understand and "negotiate" the system:

Questions under this category should address issues such as the ability to read and understand schedules, to call for information about the service, and to understand and follow directions. As noted above, if professional verification is part of the process, this information may be more appropriately included on a verification form. Specific questions that might be asked are shown on the following page.

In-person assessment processes can utilize accepted tests to obtain this information or to augment information from these questions. For example, Behavior Neuropsychology Associates, Inc., under contract to the ACCESS Program in Pittsburgh, uses sections of the following standardized tests to determine the applicant's cognitive ability:

- the Mini-Mental State Examination (MMSE)
- the Weschler Adults Intelligence Scale (WAIS-R)
- the Communicative Abilities in Daily Living (CADL)
- the Cognitive Competency Test (CCT)
- the River Mead Behavioral Memory Test
- Trail Making

A description of the various tests performed, along with the forms used, is included in Appendix M.

Sample Questions Regarding Ability to "Negotiate" the Fixed Route System

Can you (or can the applicant) use a telephone to make calls and get information about bus (rail) service?

Yes No Sometimes If No or Sometimes, please explain: _____

Are you (is the applicant) able to ask for, understand, and follow written or spoken directions either independently or with help of an aid (such as a letter board or bus ID card)?

Yes No Sometimes If No or Sometimes, please explain: _____

Are you (is the applicant) able to deal with unexpected situations and unexpected changes in routine?

Yes No Sometimes If No or Sometimes, please explain: _____

Can you (can the applicant) recognize landmarks and travel on the transit system independently?

Yes No Sometimes If No or Sometimes, please explain: _____

Can you (can the applicant) safely travel through crowded and/or complex transit stations?

Yes No Sometimes If No or Sometimes, please explain: _____

The ability to get to and from bus stops/stations within the ADA paratransit service area:

This section should ask/assess the applicant's ability to travel certain distances to get to and from stops/station. The effects of environmental conditions and architectural barriers on the distance that can be traveled should also be determined.

Because eligibility must be based on the most limiting condition (see Section 3 of Chapter 1 of this manual), **information obtained in this part of the form/assessment should not be limited to travel to and from specific stops/stations.** For operational reasons, it may be helpful to know if applicants can get to the stop/station closest to their home, but this information cannot be used to determine overall eligibility. An individual should be provided paratransit service if there are any trips that they cannot make within the entire service area.

When asking about maximum distances that can be traveled, consider a measure that will be most easily understood by applicants in the area. In urban settings, it may be appropriate to ask about the number of blocks that can be traveled. In general, nine city blocks are approximately 3/4 of a mile in length. In non-urban areas, measures could include fractions of a mile, feet, or yards.

For example, the following questions could be asked to determine how far applicants are able to independently travel:

Using a mobility aid or on your own, how far are you able to travel without the assistance of another person?

less than 200 feet
 1/4 mile (3 blocks)
 1/2 mile (6 blocks)
 3/4 mile (9 blocks)
 more than 3/4 mile (9 blocks)

The effects of environmental conditions and/or architectural barriers on applicants' ability to travel these distances could be determined by asking:

Is your ability to independently travel this distance affected by snow, ice, steep hills, or other barriers?

No
 Yes.
 If yes, please explain _____

or, a specific list of environmental/architectural barriers could be provided as follows:

Are you unable to get to or from bus stops (transit stations) without the assistance of another person for any of the following reasons (check all that apply)?

- I cannot travel up or down steep hills
- I cannot travel through deep snow or when there is ice
- I cannot cross busy intersections
- I cannot travel in areas without curb-cuts or sidewalks
- I cannot travel at night due to night blindness
- Very cold weather is dangerous to my health
- Very hot weather is dangerous to my health
- High air pollution (smog, etc.) is dangerous to my health
- Other. Explain: _____

The ability to wait at a stop or station:

Questions in this section should determine if applicants are able to wait for a bus or train. This can be determined by asking for the maximum time that applicants can wait or by asking if they can wait more than a predetermined time (e.g., 10 minutes or 30 minutes). If a predetermined time is used, it should relate to typical headways and expected wait times on the fixed route service in question. As with travel distance, conditions that might affect applicants' ability to wait at a stop or station should be determined as well.

Possible questions regarding this ability could include:

Are you able to wait for a bus at a bus stop (or a train at a station)?

Yes Sometimes No

If no or sometimes, please check all of the following statements that apply to you:

- I can wait only if there is a bench
- I can wait only if there is a shelter
- Waiting outside in very hot weather is dangerous to my health
- Waiting outside in very cold weather is dangerous to my health
- I can wait only if it is not longer than ___ minutes

The person's ability to board, ride, and disembark from accessible and non-accessible vehicles or in and out of transit stations:

Questions in this section should address applicants' ability to use bus or rail services once at the stop or station. Abilities that need to be determined include: climbing the steps of a vehicle or a flight of stairs at a subway stop; getting on and off a lift; getting to and from a seat or securement area; paying fares; riding on the bus or rail car if a seat is not available; and recognizing when to get off the bus/rail car.

Some forms include a direct question about the ability to use fixed route service, such as:

What best describes your ability to use the regular city buses?

- I can use with little or no difficulty
- I can only use with great difficulty
- I can use only those buses that have lifts or ramps
- I cannot use at all

The response to this question can then be compared to answers to more detailed questions about use of fixed route service. If the fixed route service in question is fully accessible, a determination of applicants' ability to use non-accessible services is not required. As mentioned in Section 2 of Chapter 1 of this manual, it may be beneficial to include questions about using non-accessible services, however, to assist riders who may travel to areas where the fixed route service is not yet fully accessible.

Possible questions that should be considered in this part of the form could include:

Are you able to get on and off a bus that does not have a lift or a ramp?

Yes No

Are you able to get on and off a bus that has a "kneeler" to lower the first step?

Yes No

Are you able to get on and off a bus that has a lift (Please note that persons who do not use wheelchairs but who cannot climb the bus steps are permitted to enter the bus by standing on the lift)?

Yes No

Once inside, can you get to a seat or wheelchair position without assistance?

Yes No

Can you climb a flight of 7 inch steps? (rail services)

Yes No

Are you able to hold a handhold or a pole on a bus or a subway?

Yes No

Are you able to balance yourself when standing on a bus or subway using a handhold or pole?

Yes No Not applicable (use wheelchair) Don't Know

Do you know where to get off the bus or subway or can you find out?

Yes No

Are there any other reasons why you cannot get on or ride the bus or subway?

Yes No

If yes, please explain: _____

If travel training is an important part of the overall strategy to serve persons with disabilities, it may be useful to obtain information about the possible benefits of travel training throughout the form. Examples of how questions on travel training can be integrated in several parts of the form/assessment, see the material developed by Seattle Metro (Appendix I) and the forms developed by the Regional Transportation Authority of Chicago (Appendix L).

Other Service Information

The application process also provides an opportunity to get important travel information for later use in daily operations. For example, questions can be added to determine:

- If the person is able to use a standard taxi. This could be important if part of the service is provided through a contract with a local taxi company;
- If the person currently uses the fixed route service or if they used it in the past. If the person tried to use the service but stopped, it may be useful to determine why. There may have been equipment issues or policies that did not meet their needs. They may not be aware that current service can meet their travel needs.
- If the person can travel from their place of residence to the nearest stop/station. A large percentage of a person's trips originate and end at the home. Determining if applicants can get to and from the fixed route service from their place of residence can help in making trip-by-trip eligibility determinations.
- The most frequent destinations to which the applicant travels. Again, this information can be helpful in making trip eligibility determinations.

Administrative Information

Finally, the form may need to include reference(s) for professional(s) that can be contacted for additional information, a release to request this information, and other administrative items.

At the end of any form completed by the applicant, space should be provided for the applicant's signature. A statement should proceed the signature indicating that the person has provided true and accurate information and noting any consequences that may be associated with the provision of false information. Following is an example of language that could be used for this purpose:

I hereby certify that the information given above is true and correct. I expressly acknowledge that the (transit provider) will rely upon the information contained herein in making a determination as to my eligibility to participate in the program. I agree that if any of the information given to the (transit provider) is materially false or misleading, the (transit provider) shall have the right to reconsider my right to participate in the paratransit program, in addition to pursuing any other right or remedy which the (transit provider) may have under the circumstances.

Signature _____

Date ___/___/___

If the form or a part of it must be completed by the applicant, it is also important to determine if another person assisted the applicant with the completion of the form. This other person can then be notified, in addition to the applicant, about the final determination or if additional information is needed. For example, the following question can be included:

If this application form has been completed by someone other than the person requesting certification, that person must complete the following:

Name: _____

Address: _____

City: _____ State: _____ Zipcode: _____

Phone #: _____

Relationship to Applicant: _____

Request for Professional Reference(s)

If a "self-certification with professional verification as needed" process is used to determine eligibility, the application form must include a request for the name of a professional who can be contacted for additional information about the person's disability and travel capabilities. As noted in Section 2 of this Chapter, it may be helpful to direct applicants to identify professionals who are familiar with their ability to use the fixed route service.

Following is an example of the type of language that could be included in this section of the application to direct the identification of professionals:

In order to allow the (name of transit provider) to evaluate your request for ADA paratransit eligibility certification, it may be necessary to contact a health care or rehabilitation professional for additional information about your disability and ability to use regular bus service. Please complete and sign the following authorization.

Note: It is important that, if possible, you identify a professional who is familiar not only with your particular disability but who also understands your ability or inability to travel on the public transit system. This could include:

- a rehabilitation specialist
- an independent living counsellor
- a social worker
- a psychologist
- an occupational or physical therapist
- a vocational rehabilitation counselor
- a physician or registered nurse
- a mental health counselor

I authorize the following professional to release to the (name of transit provider) information about my disability and its affect on my ability to travel which may be needed in connection with my request for ADA paratransit eligibility certification. It is my understanding that the information released will be used solely to determine my ADA paratransit eligibility. I understand that I may revoke this authorization at any time. Unless earlier revoked, this form will permit the professional listed to release the information described until 60 days after the date appearing below.

Name of Professional: _____

Street Address: _____

City/Town: _____ State: _____ Zipcode: _____

Telephone Number: (____) _____

Applicant's Name: _____

(PLEASE PRINT)

Applicant's Signature: _____

Date: _____

Professional Verification Form

If the eligibility determination process selected includes obtaining information from a professional, a "Professional Verification Form" will need to be developed. As noted in Section 2 of this chapter, professional verification can be obtained as needed or can be requested as part of the initial application. It is also possible to contact identified professionals by phone rather than in writing. Even if contact is by phone, it is recommended that a standard form be prepared for use by staff or contractors collecting the information.

If the professional verification form is sent separate from the standard application material, it should include basic information about ADA paratransit eligibility and the purpose of the request. This introductory information should also indicate that the applicant has authorized the release of records pertaining to their disability and functional capabilities. A copy of the release form signed by the applicant can also be included. If the professional verification is part of the application form, this information should be provided for both the applicant and the professional.

As noted in Section 2 of this chapter, verification forms should not be used solely to request a definitive opinion as to the applicants eligibility. It should be clear that the information requested will be one element in the determination made by the transit provider's staff or contractor. Instead, professionals should be asked to verify the disability claimed by the applicant, the extent of this disability, and for functional assessments as to the applicant's ability to perform activities related to using fixed route transit service. If a general opinion is requested, it should be supplemented by more specific questions about the applicant's disability and capabilities.

Professional verification will be particularly important in cases where applicants have claimed a "hidden" disability or a medical condition such as a cardiac or pulmonary condition, mental illness, or a joint disease. Verification will also assist in determining the extent of a sensory impairment (e.g., level of vision or visual acuity) or the degree of cognitive capability.

Several sample professional verification forms are contained in the appendices to this manual. A verification form used by the Delaware Administration for Specialized Transportation (DAST) which is part of the initial application (a "self-certification and professional verification" process) is provided in Appendix K. A verification form used by the Worcester Regional Transit Authority which is sent by the WRTA separate from the initial application is provided in Appendix H.

Section 5. Reviewing Applications and Making Determinations

Pre-Tests of Materials

Before formally initiating the eligibility process or broadly distributing application materials, it is strongly recommended that a pre-test be conducted using draft materials. Request the assistance of members of the advisory committee who have not been closely involved in the development of materials. Ask local human service agencies if they would be willing to have clients complete a few forms. Be sure to have draft materials completed by persons with different types of disabilities. Requesting the assistance of a local independent living program may be an effective way to obtain information from a full cross-section of the population.

Collect the completed test materials and have the staff or third-party agency that will be responsible for reviews go through the process of making determinations. Have them note if they are getting adequate information to make thorough determinations. Also talk with individuals and professionals who have completed the draft forms to see if they fully understood the directions and questions.

Such a pre-test can provide valuable insights and result in important revisions to materials before full-scale certification or recertification is undertaken.

Regulatory Review Timetable and Presumptive Eligibility

Determinations of eligibility should be made within 21 calendar days of the submission of a completed application form. If a determination is not made by the 21st day, the applicant must be treated as eligible and paratransit service provided on a presumption of eligibility until the review is completed. Unconditional service must be provided during this period of presumed eligibility unless the applicant has specifically requested conditional eligibility.¹²

In the case of a self-certification with professional verification as needed process, the calculation of the 21 day period would commence when the applicant submits requested information including the name of a professional who can be contacted. Follow-up information requested by the transit provider and provided from the professional would be considered part of the 21 decision period. In the case of self-certification with required professional verification, an application would be considered complete only if all

¹² If the application includes a question or questions that enable the public entity to determine that the applicant can use the fixed route system (for example, the person can use accessible vehicles), then presumptive eligibility can be conditioned based on this information. If such a partial determination is made, the applicant must be notified in writing of the conditions of their presumptive eligibility and must be given an opportunity to appeal.

information, including information required of a professional, is provided. For processes that involve in-person assessment, the 21 day period would begin when the person fulfills established requirements for requesting that an assessment be conducted. This could be a telephone request or could involve the completion of a brief request for determination form.

Establishing a Management Information System to Track Determinations

To ensure that reviews are handled expeditiously and that they are referred to the appropriate person or agency as needed, transit providers should establish a management information system to track applications as they go through the process.

The first step in establishing this system is to determine all possible actions that could be required given the determination process selected. To do this, work back from the regulatory limit of 21 days to determine when each of these actions would need to be completed in order to complete the review in the required time. Develop a flow chart or outline that summarizes the timing of required actions for use by all staff involved in tracking or reviewing applications. Figure 5 provides an example of such a chart developed by the Commonwealth of Virginia in their guide on ADA paratransit eligibility.¹³

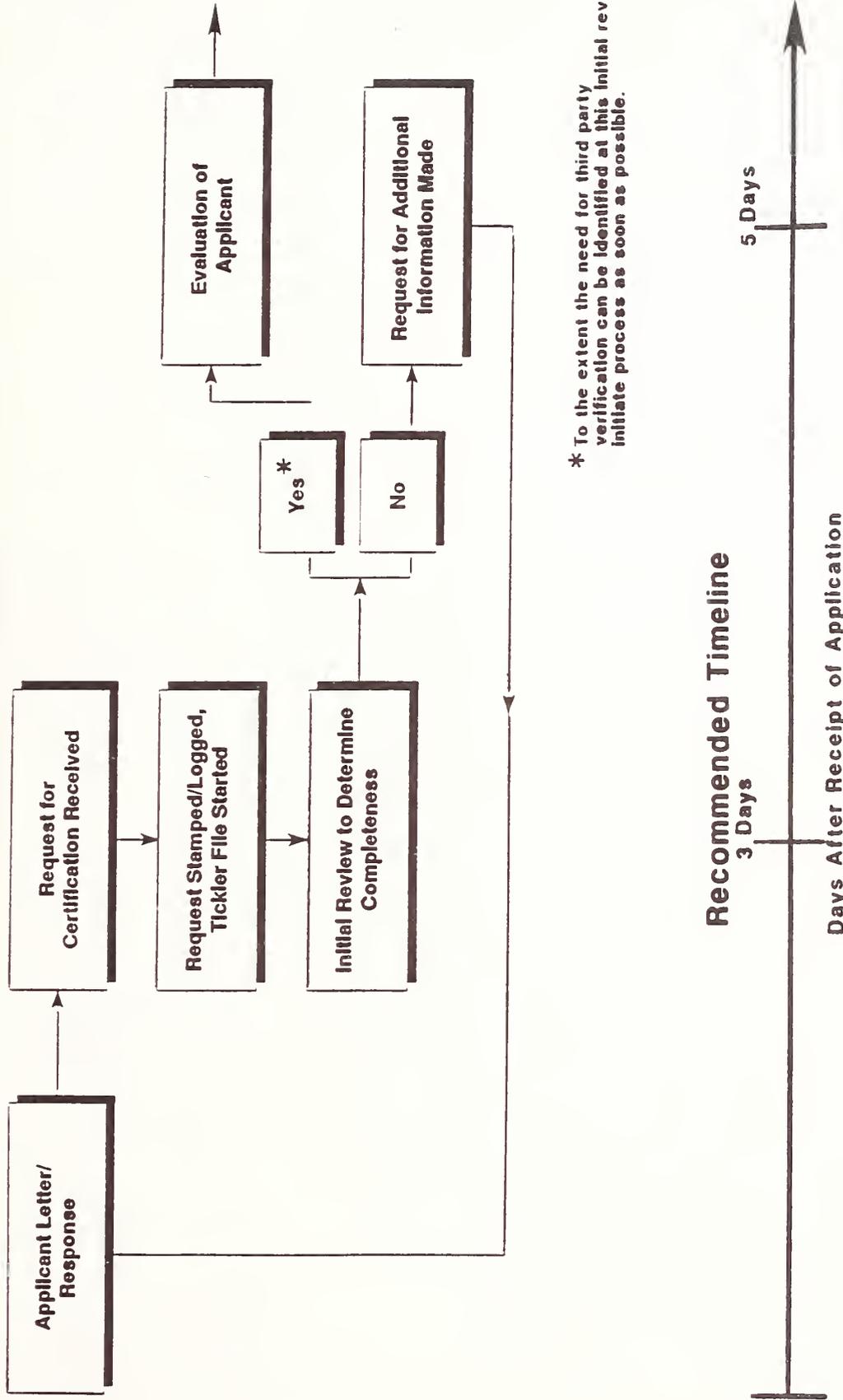
A system for tracking each application, according to the established timetable, should then be established. This could be accomplished by attaching a cover "tracking" sheet, which includes the date of receipt and the subsequent date of each required action, to each application. The date which is 21 days from the date of receipt should be added to the tracking sheet to alert reviewers to the target completion day. The tracking sheet should also include information and dates which pertain to the appeal process.

A master file should then be maintained which includes critical dates from each individual tracking sheet. This file will provide information on overall progress as well as indicate which reviews have exceeded the maximum allowed determination times (21 days for initial reviews and 30 days for appeals). Information about the applicants who will then need to be treated as eligible can then be transmitted to the service operator(s).

In larger transit systems, it may be necessary to utilize a computerized database system or other automated tracking system. One alternative is to use software developed for the human resource field to log and track job applications. Seattle Metro has customized software developed by Sigma to track ADA applications and determinations. In addition to accurately tracking progress in making determinations, the software allows Metro to print reports that include key information such as the number of applications received, the number in each stage of review, and a breakdown of determinations by type of finding (e.g., conditionally eligible, unconditionally eligible, ineligible, etc.). Information about the Seattle tracking system is contained in Appendix N.

¹³ CGA Consulting Services, Inc., EG&G Dynatrend, Katherine McGuinness and Associates, Inc., *ADA Paratransit Eligibility: A Guide for Virginia Transit Systems for Complying with the Americans with Disabilities Act of 1990*, prepared for the Virginia Department of Rail and Public Transportation, July 1, 1992.

Figure 5. Sample Flow Chart of Eligibility Determination Process (sheet 1 of 3)



* To the extent the need for third party verification can be identified at this initial review, initiate process as soon as possible.

Figure 5 continued (sheet 2 of 3)

Six Functional Evaluation Fields

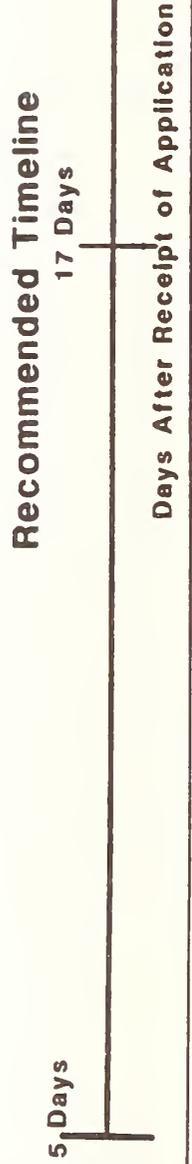
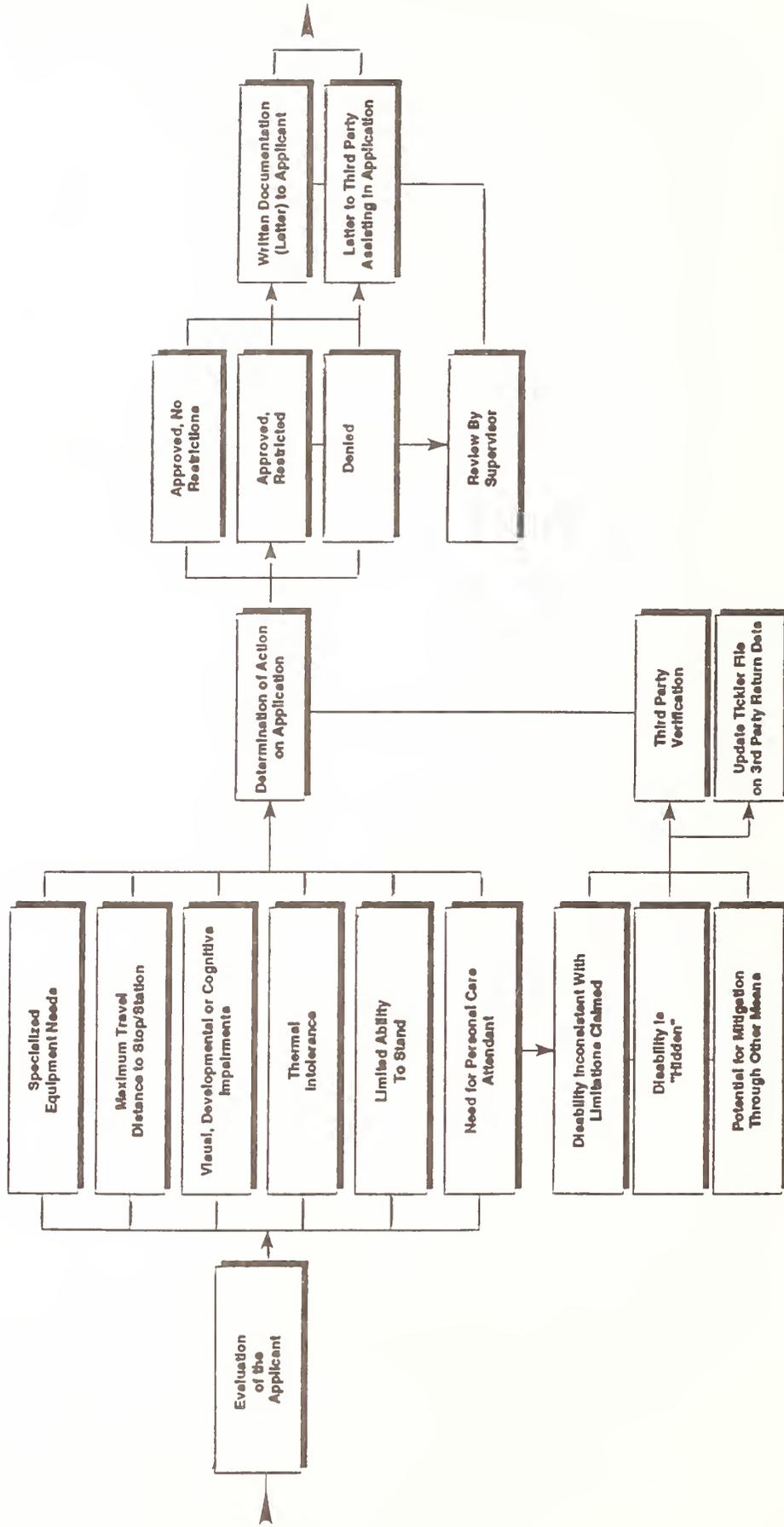
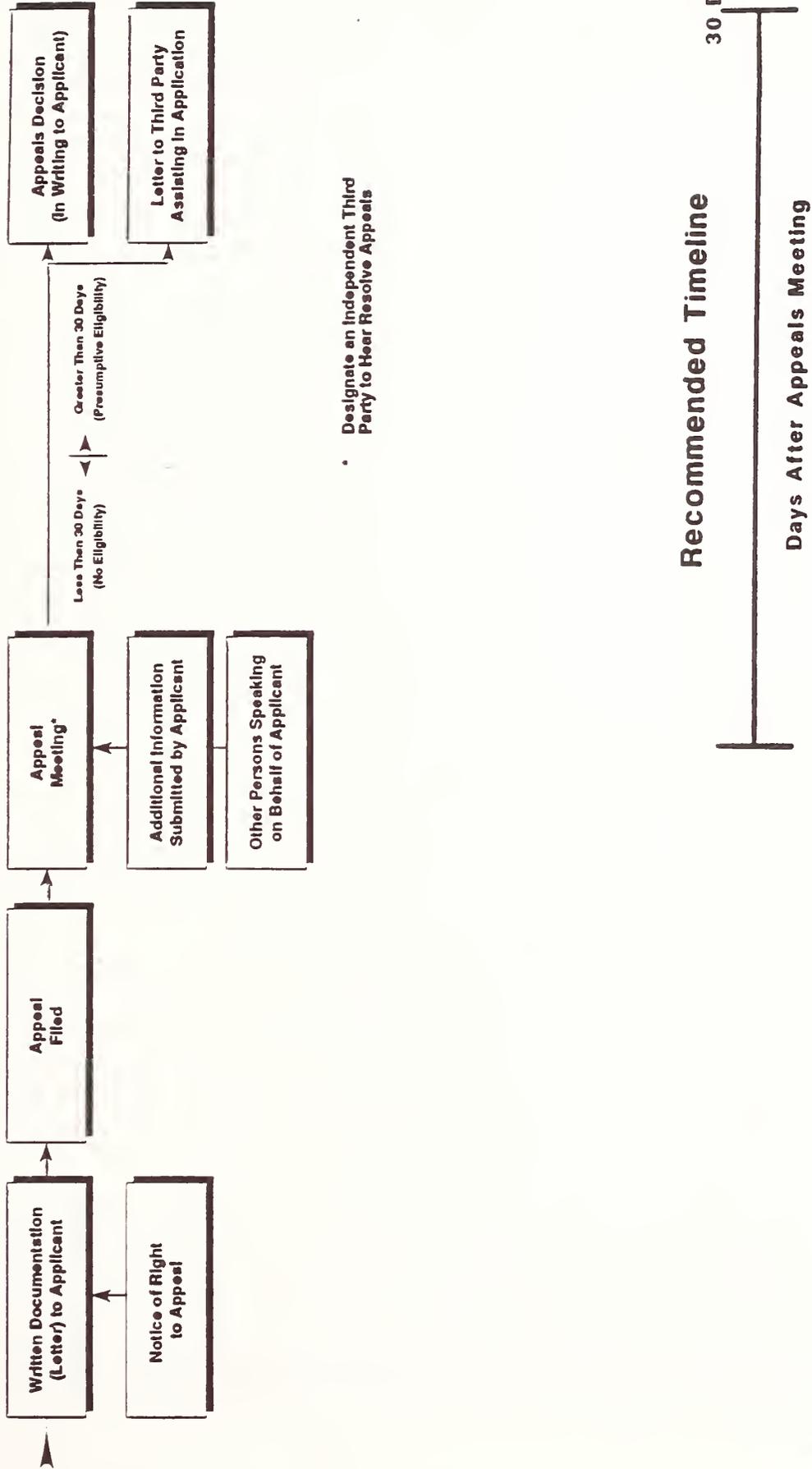


Figure 5 continued (sheet 3 of 3)



Developing Reviewer Guidelines and Maintaining Consistency in Reviews

Transit providers should develop reviewer guidelines and final evaluation forms to assist reviewers in properly interpreting answers and information provided by applicants and/or professionals. Guidelines and forms can also help to ensure consistency in the determination process. As mentioned in Section 3 of this chapter, reviewer training is also recommended. Ensuring consistency in the review process is particularly important if determinations will be conducted by several different individuals.

A number of transit agencies have developed evaluation forms which are correlated with the information requested in the application forms. These evaluation forms ask the reviewer to draw conclusions from answers provided by applicants and/or professionals to particular questions. Depending on the responses provided, certain eligibility findings are suggested. For example, if an applicant indicates that she/he can usually travel independently up to half a mile but cannot negotiate in snow and ice, conditional eligibility based on distance from stops/stations and times of the year could be granted. Similarly, applicants who note that they use wheelchairs would automatically be eligible when they travelled on routes not yet fully accessible.

Several examples of this type of summary evaluation form are contained in the appendices to this manual. Of particular note are forms developed by the Washington Metropolitan Area Transit Authority (see Appendix J), the Worcester Regional Transit Authority (see Appendix H), and San Mateo County (see Appendix E).

Applications which use closed/multiple-choice type questions, such as the WMATA application, can be more directly correlated to particular types of eligibility. More open-ended questions will require the reviewer to draw a conclusion from the information provided.

Other suggestions for ensuring consistency and for building important checks into the determination process include:

- Consider having reviewers double-check with supervisors or other review staff if a determination of ineligibility or conditional eligibility is being recommended. This type of confirmation and reinforcement may help reduce inappropriate findings and will be helpful if an appeal is requested.
- If several individuals are involved in making determinations, have them periodically exchange applications and compare findings. If there are differences in the recommendations that would be made, encourage general discussion on key issues and incorporate the results of this discussion in updated reviewer guidelines.
- Conduct random post-determination checks of findings. This may be particularly important if third-party contractors are utilized for determinations. Have staff who are

familiar with ADA paratransit eligibility review the complete file, including the application form and related information and the final eligibility determination. Such administrative reviews will be an important part of the management of the determination process and will provide valuable insight needed to revise existing materials or strengthen reviewer training programs.

Observing Privacy Rights

The medical information that may be gathered as part of the ADA paratransit eligibility certification process should not be shared with any other party. This would include specific diagnosis provided by professionals and information about the nature of disabilities provided by the applicant. Access to eligibility files should be limited and those with access to these files should be informed and instructed to respect the privacy of applicants. This should include in-house staff as well as any third-party contractors used in the determination process.

Information regarding a person's functional ability to use fixed route service, derived from the determination process can, however, be shared with other transit providers. Other entities may call to obtain more detailed information about a person's ability to travel if that person has requested service in another area as a visitor.

Recent Certification Experiences of Selected Providers

Table 3 on the following pages provides general information about the outcome of determinations conducted by selected transit providers to date. Information about the percent of applicants that have been determined ineligible, the percent determined conditionally eligible, and the number or percent of appeals of determinations is given.

As shown, the general experience to date has been that relatively few applications are denied outright. Approximately half of the systems which had this information reported a denial rate of less than 3 percent. Several systems reported denials of between 7 and 15 percent. In general, it was the opinion of these transit providers that very few individuals were attempting to obtain certification inappropriately. It was reported by several providers that a significant number of those persons determined ineligible had misunderstood the nature of ADA paratransit eligibility. This general sense is supported by the fact that, typically, very few appeals are requested. Many individuals verbally question the final decision but are satisfied with the explanation given once they better understand the nature of the determination.

Some of the variance may also be explained by differences in pre-ADA eligibility policy. Transit providers which previously used a functional eligibility criteria close to that established in the ADA have had relatively few ineligible determinations as most existing riders were eligible. This was noted by both the Ann Arbor Transportation Authority and

Table 3. Eligibility Determination Results for Selected Transit Providers

Name of Transit Provider	Type of Determination Process	Determination Performed by	% Inelig.	% Cond. Elig.	% Appeal
Ann Arbor Transportation Authority Ann Arbor, MI	Self-certification and professional verification.	In-house	1 % ¹⁴	75 %	N/A
Ben Franklin Transit Richland, WA	Self-certification with professional verification as needed	In-house	2 %	less than 1 %	no appeals (1100 apps. processed)
Greater Bridgeport Transit District Bridgeport, CT	Self-certification with professional verification as needed.	In-house	Less than 1 %	N/A	no appeals to date
Greeley, CO	Self-certification with professional verification as needed.	In-house	1 %	50 %	no appeals (500 apps. processed)
Lane Transit District Eugene, OR	Combined: Self-certification and professional verification with in-person assessment as needed.	Initially by paratransit contractor. Referred as needed to one of two OT's under contract.	10 %	20 %	Only one appeal to date

¹⁴ The Ann Arbor Transportation Authority noted that the low percentage of applicants determined ineligible was due mainly to the fact that, prior to the ADA, they used a functionally-based eligibility criteria that was similar to what is now used.

Name of Transit Provider	Type of Determination Process	Determination Performed by	% Inelig.	% Cond. Elig.	% Appeal
Los Angeles County Metropolitan Transportation Authority Los Angeles, CA	In-person assessment	"Certification analysts" selected by LACMTA. Are either registered nurse with at least two years experience; physical therapist; occupational therapist; or clinical social worker.	10%	40%	4%
Madison Metro Transit System Madison, WI	Combined: Self-certification with professional verification and/or in-person assessment as needed.	Initially in-house. Referred to Rehabilitation Center as needed	15% of new applicants	less than 20%	1%
Municipality of Metropolitan Seattle (METRO) Seattle, WA	Combined: Self-certification and professional verification with in-person assessment as needed	Initially in-house, referred to Evergreen Medical Center as needed	4%	35%	2 of 1800
OMNITRANS San Bernardino, CA	Self-certification with professional verification as needed. Also, doing random verifications to check accuracy of self-certifications.	In-house	2.5%	7%	no appeals to date

Table 3 continued

ADA Paratransit Eligibility Manual

Name of Transit Provider	Type of Determination Process	Determination Performed by	% Inelig.	% Cond. Elig.	% Appeal
Oshkosh Transit System Oshkosh, WI	Self-certification and professional verification. Work closely with previous operators - the Red Cross and County Committee on Aging for professional verification.	In-house	Less than 1 %	N/A	no appeals to date
Port Authority of Allegheny County (PAT); ACCESS Program Pittsburgh, PA	In-person assessment and professional verification	Local Chapter of the Easter Seal Society; Behavior Neuropsychology Associates, Inc.; orientation and mobility specialists for persons with vision impairments.	7-10%	36%	Less than 1 %
Riverside Transit Agency Riverside, CA	In-person assessments or professional verification (for persons with severe mental retardation).	Local medical clinic.	2%	9%	4 appeals (25% of those ineligible and cond. eligible)
San Mateo County Transit District (SAMTRANS) San Carlos, CA	Self-certification with professional verification as needed	In-house	1-2%	less than 1 %	no appeals to date

Name of Transit Provider	Type of Determination Process	Determination Performed by	% Inelig.	% Cond. Elig.	% Appeal
Southeastern Pennsylvania Transportation Authority (SEPTA) Philadelphia, PA	Self-certification and professional verification	In-house	8-9%	N/A	no formal appeals to date; only verbal requests for clarification
Transit Authority of River City (TARC) Louisville, KY	Self-certification with in-person assessment as needed	Initial determinations in-house. Assessments by local rehabilitation center	1.7%	N/A	5 appeals (1800 apps. processed)
Utah Transit Authority Salt Lake City, UT	Combined: Self-certification with in-person assessment as needed.	In-house initially. Referral as needed to either: State Services for the Visually-Impaired; University Spine Rehabilitation Center; or local mental health agencies and associations for retarded citizens.	10%	2%	no appeals to date
Worcester Regional Transit Authority Worcester, MA	Self-certification and professional verification.	One of three independent rehabilitation specialists	1.2%	8%	Less than 1%

Ben Franklin Transit. Agencies which had broader criteria in the past might expect a higher rate of ineligible determinations.

There appears to be greater variance in the percentage of applicants being granted conditional rather than unconditional eligibility. Several systems reported that their initial determinations have not focused on conditions of eligibility. There is even a considerable range among those systems that are doing a more detailed identification of limitations/conditions of eligibility. The percent of applicants certified as eligible under particular conditions ranges between 20 percent and 75 percent. Some of this variance is probably attributed to whether or not the transit agencies intend to rely on trip-by-trip eligibility determinations to manage demand.

Section 6. Notifying Individuals of Initial Determinations

Applicants must be notified of initial eligibility determinations in writing. Efforts must also be made to provide this notification in a format that the individual is able to use and in a way that ensures effective notice. For example, as noted in Section 4 of this chapter, consider including a question in the application form which identifies whether the applicant needs to have information and correspondence provided in accessible formats. If so, notice of the initial finding should be provided in the requested format. Also, include a question in the application which identifies whether the form has been completed by someone acting on behalf of the applicant. If so, send the notice of initial determination to this person as well as to the applicant.

If the initial determination finds that the applicant is ineligible, specific reasons for this finding must be included in the notification letter. Simply including a general statement that the person "is able to use the fixed route service" and is therefore not eligible for paratransit service is not acceptable. Reasons cited should relate directly to information contained in the application, obtained as part of the professional verification process, or derived through an assessment of the individual. For example, specific reasons for a finding that a person is not eligible might be stated as follows:

- "The particular reason included in the application for why you could not use regular bus service was that you are unable to independently travel distances greater than 1/2 mile to get to or from bus stops. Your diagnosis of disability, provided by the professional named in the application, did not, however, indicate a disability that limits your ability to independently travel throughout the full service area."
- "Your application indicated that you do not feel safe traveling on the regular bus and subway system. While the possibility of an incident occurring while traveling may be a factor in your decision to use available public transit service, it is not a reason, in and of itself, which requires that separate van service be provided."

Similarly, if the initial determination is that the applicant is eligible for paratransit services under certain conditions, the reasons for limiting eligibility should be explained in the notification letter. For example, a person may be determined eligible but may have indicated that they have been travel trained for daily trips that they make to work. The letter of notification should, therefore, state that the person is ADA paratransit eligible with the following limitation:

- "Trips to your current work site from your current place of residence are not ADA paratransit eligible as you indicated in the in-person assessment that you have received instruction in the use of the regular bus service to make this particular trip."

If strict control of travel with personal care attendants is an important consideration, consider noting any limitation on travel with PCAs directly in the notification letter. For example, if the application or assessment includes a specific question about the need for a PCA, a condition of eligibility that should be noted for all applicants that PCAs are not required could be:

- "As stated in the application (noted in the assessment), travel with a personal care attendant is not required."

The notification letter should also contain information about the appeal process that is available if the initial determination is that the person is not eligible or if limitations are placed on the person's eligibility. Individuals must be able to question limitations of eligibility as well as findings of ineligibility in general. A copy of the appeal policy, noting the procedure for requesting appeals, the number of days within which appeals must be requested, and other aspects of the policy should be attached to the letter.

Individuals determined ineligible or eligible with certain condition(s) should also be apprised of the fact that they can reapply should their situation or disability change.

As noted in Section 7 below, many transit providers also use the notification letter as formal documentation of ADA paratransit eligibility. Others use it as an opportunity to promote specific incentive programs that encourage use of the fixed route service. In Los Angeles, for example, persons who are determined conditionally eligible are informed that their ADA paratransit eligibility documentation also serves as an identification card for a reduced fixed route fare.

As part of the development of the eligibility determination process, several form letters should be developed. Separate letters should be developed for those determined unconditionally eligible, conditionally eligible, ineligible, and temporarily eligible. Additional letters may be needed if you combine ADA paratransit eligibility determination with other processes such as eligibility for other paratransit services. Sample letters of determination are provided on the following pages.¹⁵

¹⁵ Letters are adapted from *ADA Paratransit Eligibility: A Guide for Virginia Transit Systems for Complying with the Americans with Disabilities Act of 1990*, prepared for the Virginia Department of Rail and Public Transportation by CGA Consulting Services, Inc. in association with EG&G Dynatrend and Katherine McGuinness and Associates.

SAMPLE DETERMINATION LETTER - UNCONDITIONAL ELIGIBILITY

DATE

NAME

ADDRESS

CITY, STATE ZIP

Dear _____

Based upon a review of your application for certification of ADA paratransit eligibility, the _____ (name of Transit agency) _____ has determined that you are eligible for ADA paratransit service for any trip in our service area. This determination also enables you to use similar paratransit services nationwide.

This certification of eligibility is valid until (expiration date). You will automatically receive a recertification form in the mail so that you can reapply at that time.

Attached is your identification card. Please carry it with you at all times. The identification number contains important information regarding your functional capabilities and requirements and must be given whenever you make a trip request.

Also attached is a Rider's Manual which provides important information about the ADA paratransit service. It also describes how to use the service. Please read it carefully.

If you have any questions about the service, or need any other assistance, please feel free to call the paratransit service office at (phone)_____, (TDD)_____, (FAX)_____.

Sincerely,

Enclosures: ADA paratransit eligibility ID
Paratransit Rider's Manual

SAMPLE DETERMINATION LETTER - CONDITIONAL ELIGIBILITY

DATE

NAME

ADDRESS

CITY, STATE ZIP

Dear _____

Based upon a review of your application for certification of ADA paratransit eligibility, the _____ (name of Transit agency) has determined that you are eligible for ADA paratransit service when one or more of the following conditions exist:

- (1)
- (2)
- (3)

This determination also enables you to use similar paratransit services nationwide.

The above conditions may be used by (name of transit agency) to determine if and when you may be able to use the regular bus/rail service. If you can use these services, federal law does not require that paratransit service be provided. You are encouraged to use the regular bus/rail service whenever possible.

If you do not agree with the limitations that have been placed on your eligibility, you have the right to appeal this determination. Any request for an appeal must be made in writing and must be mailed within 60 days of the date of this letter. The enclosed description of the appeal policy provides additional information about the process.

This certification of eligibility is valid until (expiration date). You will automatically receive a recertification form in the mail so that you can reapply at that time. Please note that you may also reapply at any time if you feel that changes in your ability to use the regular bus/rail service could affect this determination.

ADA Paratransit Eligibility Manual

NAME _____
DATE _____
PAGE -2-

Attached is your identification card. Please carry it with you at all times. The identification number contains important information regarding your functional capabilities and requirements and must be given whenever you make a trip request. Also enclosed is a Rider's Manual which provides important information about the paratransit service. Please review it carefully.

If you have any questions about the service, or need any other assistance, please feel free to call the paratransit service office at (phone)_____, (TDD)_____, (FAX)_____.

Sincerely,

Enclosures: ADA paratransit eligibility ID
Paratransit Rider's Manual
Description of appeal policy

SAMPLE DETERMINATION LETTER - INELIGIBLE

DATE

NAME
ADDRESS
CITY, STATE ZIP

Dear _____

Based upon a review of your application for certification of ADA paratransit eligibility, the _____
(name of Transit agency) has determined that you are not eligible for ADA paratransit service.
This determination is based on the following factors:

- (1)
- (2)
- (3)

Federal law restricts eligibility for ADA paratransit service to persons who cannot, due to a disability, utilize fixed route transit service (regular bus/rail service). This determination applies only to your eligibility for ADA paratransit service offered by _____
(name of transit agency).

We would encourage you to use the fixed route service and hope you will become a regular customer. For that reason, we have enclosed information about the bus/rail service and a complementary monthly pass to encourage you to find out just how convenient our services really are. You can also call our customer information office for assistance in planning trips. That number is (phone)_____, (TDD)_____. We hope to have you as a customer often.

NAME
DATE
PAGE -2-

If you do not agree with the decision that has been made, you have the right to appeal this determination. Any request for an appeal must be made in writing and must be mailed within 60 days of the date of this letter. The enclosed description of the appeal policy provides additional information about the process. Please also note that if there is any change in your ability to use the fixed route service in the future, you may submit a new application.

Sincerely,

Enclosures: Complementary monthly pass
Regular bus/rail service information
Description of appeal policy

Section 7. Documentation of ADA Paratransit Eligibility

All persons determined eligible must be provided with documentation stating that they are "ADA Paratransit Eligible". The following information is required by the regulations to be part of the documentation provided:

- the name of the eligible individual
- the name of the transit provider making the determination
- the telephone number of the transit provider's paratransit coordinator
- an expiration date for eligibility (if applicable)
- any conditions or limitations on the individual's eligibility including the use of a personal care attendant.

As indicated, an expiration date is necessary if recertification will be required at some future date. The regulations allow such a recertification at "reasonable intervals". For a more complete discussion of recertification, see Section 2 of Chapter 2 of this manual.

The "telephone number of the transit provider's paratransit coordinator" should be the number at which eligibility can be confirmed and specific information about the individual's functional ability to travel and any limitations or conditions of eligibility can be obtained. This requirement is meant to facilitate the exchange of specific eligibility information between transit providers. The number listed could be for the office which oversees determinations and maintains eligibility files, the system broker, or the service operator, depending on where this information is kept and is most readily available.

Documentation can be provided in the form of an identification card, as part of the notification letter, on standard paper, or in other forms as long as the information required is included. It is also possible to provide detailed documentation in a letter or on standard paper and to supplement this with an I.D. card that contains more cryptic information. For example, the detailed documentation may describe conditions of eligibility and the reasons for such conditions as detailed in Section 6 above. The I.D. card, for obvious reasons of space, may include concise statements of limitations such as "can use accessible vehicles", "seasonal eligibility May through September" or "Requires PCA? Yes No".

When deciding on the type of documentation to be provided, take into consideration the ease of use by persons with disabilities. An I.D. card may be more durable and easier to carry by persons who will be traveling frequently to other transit districts. If the standard form of documentation provided is a letter, consider also offering a laminated I.D. which can be obtained by those who desire it.

Also consider current and possible future uses of the documentation that is provided. For example, if ADA paratransit eligibility documentation will also be used to provide reduced fare access to fixed route services, an I.D. card should be considered. Similarly, if a user-side subsidy program is used to provide service or to supplement basic paratransit service, and I.D. card may be required.

If the documentation will have a cash value (e.g., will be used for fare discounts, etc.) consideration should also be given to security and fraud issues. Typically, a photo I.D. is used and a "security seal" is incorporated. Figure 6 below offers a sample format for a photo I.D.

Figure 6. Sample Photo ID Format for ADA Paratransit Eligibility Documentation

Security Seal
(public entity logo)

FRONT

<p>Photograph</p> 	<p>Certificate of Eligibility for ADA Paratransit Service</p>							
	<div style="border: 1px solid black; border-radius: 50%; width: 40px; height: 40px; margin: 0 auto;"></div>							
	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 100%;">Name</td> </tr> <tr> <td>I.D. #</td> </tr> <tr> <td>Signature</td> </tr> <tr> <td>Date Issued</td> </tr> <tr> <td>Expiration Date</td> </tr> <tr> <td>Eligibility Conditions</td> </tr> <tr> <td>Travel with PCA Yes <input type="checkbox"/> No <input type="checkbox"/></td> </tr> </table>	Name	I.D. #	Signature	Date Issued	Expiration Date	Eligibility Conditions	Travel with PCA Yes <input type="checkbox"/> No <input type="checkbox"/>
Name								
I.D. #								
Signature								
Date Issued								
Expiration Date								
Eligibility Conditions								
Travel with PCA Yes <input type="checkbox"/> No <input type="checkbox"/>								

BACK

The person identified on this card has been determined "ADA Paratransit Eligible" in accordance with the provisions of 49 CFR Part 37 and may be entitled to receive complementary paratransit service subject to the provisions thereof.

(signature of public entity representative)

(name of issuing public entity)

(city/town) _____
(state)

Paratransit Coordinator's
Phone #: _____

Section 8. Appeals Procedures

Individuals who are determined to be either ineligible or conditionally eligible must have an opportunity to appeal the initial decision. As noted in Section 1 of Chapter 2 of this manual, the regulations include a number of specific requirements related to this appeal process. These are:

- An individual must be able to request an appeal for within 60 calendar days of the denial of their initial application;
- An individual must have an opportunity to be heard in person to present information and arguments;
- There must be a "separation of function" between those involved in the initial determination and those deciding appeals;
- Written notification of the appeal decision, stating the reasons for the finding, must be provided; and
- Presumptive eligibility must be granted to the individual if a decision is not made within 30 days of the completion of the appeal process.

As indicated in Section 6 of this chapter, written notification to applicants determined eligible or conditionally eligible should include information about the appeal process. This information should indicate how to file an appeal and what they can expect if they request an appeal. One way to provide complete information would be to enclose a copy of the full appeal policy with the notification letter.

Transit providers can require that appeals be requested in writing. Accommodation should be made, however, for individuals with vision impairments who may not be able to independently communicate in written form. Providers may also request that reasons for requesting an appeal be detailed by individuals. Some transit providers have people with different knowledge and specialties hear appeals depending on the individual's particular type of disability. Information about the reason(s) for the appeal may be helpful in structuring the process. The absence of such detailed information cannot, however, be used to preclude the scheduling of an appeal hearing. Individuals must still be given the opportunity to be heard in person, even if they decide not to provide written arguments in advance.

As noted above, appeals must be able to be requested within 60 calendar days of the denial (or the limiting) of an individual's request to be determined ADA paratransit eligible. This 60 day period should be calculated from the time that the person is notified of the initial decision. There are several ways to administer the process to ensure that a full 60 days have been allowed for appeal. These include:

- (1) Sending notice of initial determinations by registered mail and then calculating the time between certified receipt and the date that the appeal request is received;
- (2) Adopting a policy that allows appeals to be filed for a period somewhat longer than 60 days from the date of the notification letter (e.g., 65 days) to account for time in the mail;
- (3) Calculating the period of time based on the date stamp on both the notification letter and the appeal request.

Once a request for an appeal has been made, a hearing date should be established and the applicant should be provided with adequate written notice (in accessible formats if appropriate). The notice should ask what accommodations may be needed (such as an interpreter) and could request that adequate notice of the need for these accommodations be provided. In many areas, one or two weeks may be needed to arrange for interpreter services.

A critical factor in ensuring that the individual is afforded "due process" is the separation of function between those involved in the initial determination and those hearing appeals. To the extent practicable, appeals should not be heard by individuals in the same office as those responsible for initial determinations. Similarly, if practicable, appeals should not be heard by subordinates or supervisors of staff responsible for initial decisions. Such a daily working relationship could bias those hearing appeals.

If appeals are heard by a committee rather than an individual, person(s) involved in the initial decision should not sit as voting members on the committee - even if they do not constitute a majority of the committee members. It may be desirable to have those involved in initial determinations available at hearings to provide information and reasons for the initial finding, but they should not have a formal say in any appeal decision.

The regulations recognize that the degree of separation of function may be less in smaller transit systems. With limited staff, all employees may have a daily working relationship. In these cases, if the appeal process is kept in-house, efforts should be made to ensure that the person(s) hearing appeals have not been involved in the original decision in any way and do not discuss appeals with initial decisionmakers prior to the hearing. It is also recommended that there be an elevation of authority between the initial decision and the appeal.

Supervisors should hear appeals rather than subordinates to avoid the obvious influence that superiors hold over those they manage. To establish a clear "separation of function", transit providers both small and large should consider involving individuals from outside the agency in the process.

Those responsible for making the appeal decision must be present at the hearing. It would not be acceptable, for example, to have a person appear before an advisory committee that makes a recommendation to the transit provider. Having the decisionmaker(s) hear firsthand the issues and the person's argument is an inherent part of the right to be heard "in-person".

The appeal must be more than an administrative review of the initial determination. In addition to ensuring that the approved policy was followed, the appeal must also review the judgement(s) made regarding the individual's eligibility in the initial determination. The appeal should be based on additional information provided prior to or during the hearing as well as on information contained in the original application. For this reason, the process should allow those involved in deciding appeals to have access to all pertinent information and adequate time to review file documentation.

As with the initial notification, the appeal finding must be communicated in writing and must include specific reasons for the decision. A simple statement that the person can use fixed route service or a statement that there was agreement with the original decision is not sufficient. The written decision should relate to the additional information provided (or lack thereof) and why these additional facts, combined with the information in the initial application, support the finding made.

While the regulations establish a maximum time for deliberation on an appeal before presumptive eligibility must be granted, they do not set a maximum time for the holding of a hearing following the receipt of an appeal request. The amount of time that is required to bring appeals to a hearing will depend on the number of appeals received and the appeal structure selected. In keeping with the general principle of due process, transit providers should schedule and conduct hearings as soon as is administratively possible within the constraints of the established process. The public, including persons with disabilities, are required to have input into the appeal policy that is established. The expeditious handling of appeals should be one factor considered in the creation of the policy. Hearings that involve a large independent appeal panel, or a panel that relies solely on volunteers, may be more difficult to schedule or may be able to meet less frequently.

Structuring an Appeal Process

Appeals can be heard by single individuals or by panels comprised of several persons. Within the basic requirements for a "separation of function" detailed above, appeals can be decided by persons from other offices or divisions within the agency, by persons from other agencies, by rehabilitation or medical professionals, by consumers, or by a panel comprised of persons from several of these groups.

Regardless of the size or make-up of the appeal "panel", several factors should be considered when structuring the process. First, it is vital that the process not only is but is perceived as being objective and unbiased by individuals with disabilities and the agencies representing them. The regulations require that the process and policy be established with full public participation. Suggestions made in this process should be carefully considered. If there appears to be general distrust with an in-house process (i.e., both initial decisions and appeals are decided by transit provider staff or representatives), serious consideration should be given to outside, independent representation in the process. Transit providers should avoid the temptation to want to "control" the process, the decisionmakers involved, or the

findings made. Public trust in the objectivity of the process will help to avoid costly legal action and equally costly public skepticism.

Second, individual(s) involved in appeal decisions should possess, either individually or collectively, certain knowledge and skills. Among these are:

- a working knowledge of the ADA complementary paratransit regulations, particularly the regulatory definition of ADA paratransit eligibility and the appeal process;
- an understanding of different types of disabilities and the functional capabilities characteristic of each;
- a knowledge of the fixed route system and the skills needed to understand and use it; and
- an understanding of the complementary paratransit service and the policies and procedures related to the service.

Not all individuals need to be expert in all areas listed above. Many transit providers have structured their appeal panels to include several persons, each with particular knowledge. Training should be provided to appeal decisionmakers to augment the knowledge that they bring to the process. Individuals from outside the transit agency will need to be educated on the specifics of the ADA and the fixed route and paratransit services that are provided. Information on existing services should include the latest policies and equipment used (such as the level of operator assistance provided, allowing standees on lifts, mobility aid restraints, and lift specifications) as these will affect their understanding of the capabilities needed to use the service. Individuals representing the transit agency, on the other hand, may need training on types of disabilities and their effect on travel.

Transit providers may also want to consider utilizing different appeal decisionmakers depending on the disability of the applicant. A pool of available panel members with different specialties could be created. Panel members could then be called to attend a hearing if the applicant has reported a disability similar to their area of expertise. Professionals specializing in mental retardation, vision impairments, physical disabilities, etc. would be included in the process as needed.

Third, the ability of the structure selected to handle the expected number of appeals in an expeditious manner should be considered. Large panels may provide representation but may be difficult to schedule on a frequent basis. In addition to the ease of administration, consideration should also be given to the level of effort being requested from panel members, particularly if they are expected to volunteer their time. If a large number of appeals is expected, consideration should be given to creating a pool of available panel members and establishing a rotating schedule.

Finally, regardless of the structure selected, consider the liability which individuals may be incurring by participating in the appeals process - particularly if they are consumers or

volunteers who may not be covered by insurance which a contractor or medical professional may have. Consider providing professional liability insurance to these individuals, either through a separate policy or by adding them to a policy which may already exist.

Table 4 on the following pages provides information about the appeal processes used by selected transit providers across the country. As can be seen, a wide variety of structures are used. In a number of instances, appeals are heard by employees of the transit agency who are not involved in the initial decision.

Seattle Metro, which uses a third-party contractor for the initial review, uses other employees at this organization for appeals. The LACMTA in Los Angeles, which also uses third-party contract reviewers, uses a higher level professional for the appeal. For example, if an occupational therapist conducted the initial assessment, a psychiatrist may hear the appeal.

Several transit providers utilize appeal panels of between three and seven members. In some cases, panel members are selected based on their familiarity with the applicant's particular disability. In other cases, panels are structured to have members who are each familiar with a specific type of disability.

Ben Franklin Transit works with the applicant to select panel members that are mutually agreed upon by both parties. The Regional Transportation Authority of Chicago has established a three-person Eligibility Review Board. One standing member is selected by the RTA and the other by its consumer advisory group. The third member is chosen by these standing members. SEPTA in Philadelphia has established a panel of three members plus one alternate who each serve two-year staggered terms. SEPTA and its consumer advisory committee share in the selection of these members. TARC, in Louisville, has established eight appeal panels so that appeal hearing responsibilities can be shared and will not become burdensome on any one panel.

It is also interesting to note that several transit providers have established more than one level of appeal. A number of the agencies contacted use an informal review process if applicants verbally request an explanation of the decision. A more formal appeal is available if the applicant desires. Six of the agencies contacted have more than one level of formal appeals. OMNITRANS works with a private, non-profit mediation board and offers applicants an opportunity to obtain a non-binding recommendation from this board at any time during the process. The formal appeals process is also available.

Table 4. Descriptions of Appeal Procedures for Selected Transit Providers

Name of Transit Provider	Person or Panel that Hears Appeals
Ann Arbor Transportation Authority Ann Arbor, MI	<u>1st Appeal</u> : Paratransit Coordinator <u>2nd Appeal</u> : Executive Director
Ben Franklin Transit (BFT) Richland, WA	Panel of three people mutually agreed upon by the applicant and BFT. Panel to consist of two people from the community familiar with the applicant's disability and one person from BFT.
City of Charlotte Charlotte, NC	Three person panel (Independent Living Center staff person, Transit Agency staff person, and one person from the City Manager's office)
City of Durango, CO	Transit Advisory Board
Delaware Administration for Specialized Transportation (DAST) Dover, DE	<u>1st Appeal</u> : Paratransit Administrator <u>2nd Appeal</u> : Paratransit Advisory Committee (comprised of consumers and disability organizations)
Greater Bridgeport Transit District Bridgeport, CT	Consumer Advisory Committee (20 people)
Greeley, CO	General Services Manager of City DPW
Lane Transit District Eugene, OR	<u>Informal Review</u> : If verbal questions by applicant, informal review by paratransit coordinator. <u>Formal Appeal</u> : If formal appeal: Appeal Committee (5 person: Director of group homes; two persons with disabilities; transit district representative; ad hoc person selected by applicant).
Los Angeles County Metropolitan Transportation Authority Los Angeles, CA	Higher level professionals appropriate to the type of disability (such as psychiatrists, doctors, psychiatrists) under contract to the Authority. Cost is \$60/appeal review.
Madison Metro Transit System Madison, WI	<u>1st Appeal</u> : To general manager <u>2nd Appeal</u> : Four person panel (paratransit/fixed route user with a disability; city council representative; city disability commission representative; ADA paratransit eligible senior.

Table 4 continued

Name of Transit Provider	Person or Panel that Hears Appeals
Municipality of Metropolitan Seattle (METRO) Seattle, WA	Another professional staff person of the eligibility review contractor (Evergreen Medical Center) not involved in the initial determination.
New York City Transit Authority New York, NY	Three person appeal board (medical professional familiar with applicant's disability; NYCTA staff; consumer).
OMNITRANS San Bernardino, CA	<p><u>Informal review:</u> If applicant verbally questions the initial decision, the determination is reviewed by other OMNITRANS staff person.</p> <p><u>Formal Appeal:</u> If appeal is formally requested, it is heard by OMNITRANS Board of Directors.</p> <p><u>Supplemental Review:</u> Third-party mediation is available at any time upon request of the applicant. The recommendation, by the non-profit In-land Mediation Board, is non-binding.</p>
Oshkosh Transit System Oshkosh, WI	<p><u>1st Appeal:</u> City transit director.</p> <p><u>2nd Appeal:</u> County Coordinating Committee of Elderly and Handicapped Transportation.</p>
Port Authority of Allegheny County (PAT); ACCESS Program Pittsburgh, PA	<p><u>1st Appeal:</u> Nine person panel (orientation and mobility specialist for visually-impaired; mobility specialist for mentally retarded; consumer advisory committee member; physical therapist; specialist in cognitive disabilities; local advocacy agency representative; representative of area agency on aging; two consumers).</p> <p><u>2nd Appeal:</u> Paratransit Director or Assistant Director</p>
Regional Transportation Authority Chicago, IL	<p><u>Informal Review:</u> Voluntary informal meeting with RTA staff within 30 days of the initial determination.</p> <p><u>Formal Appeal:</u> Heard by a three-person Eligibility Review Board. The Board consists of two permanent members, one selected by the RTA and the other approved by the RTA's consumer advisory group. The third member is chosen for an individual hearing by the two standing members (from a list of persons with expertise in the type(s) of disability(ies) of the applicant).</p>

Name of Transit Provider	Person or Panel that Hears Appeals
Riverside Transit Agency Riverside, CA	Another professional not involved in the initial decision at the medical clinic which does initial determinations.
San Mateo County Transit District (SAMTRANS) San Carlos, CA	Three person panel (one person from the ADA Technical Advisory Committee, one health professional from the community, and one SAMTRANS representative)
Southeastern Pennsylvania Transportation Authority (SEPTA) Philadelphia, PA	Four people are selected (two by SEPTA and two by the consumer advisory committee) to serve on an appeal panel. All serve a two-year term and terms are rotating. Three panel members hear the appeal and one serves as an alternate.
Transit Authority of River City (TARC) Louisville, KY	Eight panels have been established to hear appeals. Each panel has three members; one with a visual impairment, one with a physical disability, and one from an agency representing persons with mental impairments.
Utah Transit Authority Salt Lake City, UT	<u>1st Appeal:</u> Advisory Review Board (2 or 3 representatives from larger consumer advisory committee). <u>2nd Appeal:</u> Transportation Disabled Advisory Committee (2 authority board members, 2 local operator staff, 1-2 consumers).
Waukesha Transit System Waukesha, WI	Transit System Board of Directors.
Worcester Regional Transit Authority Worcester, MA	Three person panel (occupational therapist; paratransit customer; independent living center representative).

Holding an Appeal Hearing

It is recommended that transit providers develop written guidelines for conducting appeal hearings. These guidelines will provide structure to the hearing and will ensure that the process is consistent from one review to the next. Guidelines should indicate the basic agenda and when and how the final decision will be reached. For example, they could indicate that the hearing will include:

- (1) an introduction of panel members (if appropriate);
- (2) an explanation of the appeal policy and the applicant's rights to ensure that there is a clear understanding of process;
- (3) a brief overview of eligibility policy to ensure that the applicant has a clear understanding of key issues such as the functional nature and trip-by-trip nature of ADA paratransit eligibility;
- (4) a summary of initial determination findings;
- (5) an opportunity for the applicant and/or her representative to provide additional information or dispute the initial determination findings;
- (6) an opportunity for the hearing officer or panel members to ask the applicant or her representative questions; and
- (7) the restatement of policy concerning a decision on the appeal so that the applicant clearly understands what will happen following the hearing.

In addition to the basic agenda, the guidelines might indicate who will preside over the hearing (if a panel is involved) and who will be responsible for making presentations at certain stages. If large panels are involved, it may also be useful to specify in what order questions will be asked or who will be primarily responsible for responding to any questions asked by the applicant.

The issue of conflict of interest should also be addressed should an applicant have a professional or personal relationship with a decisionmaker. The basis on which decisions will be reached (e.g., majority vote, etc.) also should be stated in the guidelines.

Finally, because ADA paratransit eligibility can become the subject of a civil rights complaint and ultimately be reviewed by the courts, it is important that there be documentation of the proceedings. It is not required or necessary to have hearings transcribed, but documentation should be complete enough to capture the essential issues raised and note that the established process was followed.

Section 9. Refusing, Conditioning, or Suspending Service

The regulations provide for the refusal, conditioning, or suspension of complementary paratransit service only under specific, defined conditions. These are described below. Local policies regarding the refusal, conditioning, or suspension of service should be developed with full public participation, including the input of persons with disabilities.

Circumstances Under which Service Can be Refused

Section 37.5(h) of the regulations allows public entities to refuse to provide fixed route or paratransit service to persons with disabilities if they engage in "violent, seriously disruptive, or illegal conduct." This may include a person who assaults a driver or another passenger, who smokes or drinks on the vehicle in violation of established laws, or who engages in conduct that is so severe that the delivery of service is seriously disrupted.

Conduct which is related to a person's disability and which annoys or offends is not to be considered "seriously disruptive". The interpretive appendix to the regulation uses the example of a person with Tourette's syndrome who may make involuntary profane statements. Such behavior would not be grounds to refuse service. Similarly, service cannot be refused based on an unfounded fear of a particular disability. For example, a person with HIV disease cannot be refused service because drivers or passengers are afraid of being near and being exposed to the condition. On the other hand, a person who refuses to use a seat belt and has a habit of not staying seated during transport could distract the driver and seriously disrupt service. Refusing service or requiring that the individual ride with an attendant might be appropriate in such a case. Similarly, customers are responsible for the behavior of service animals. Service can be refused or conditioned if a service animal is seriously disruptive.

In determining what constitutes "seriously disruptive" or "violent" behavior, transit providers may want to rely on local ordinances. Most communities have established laws and standards that define unacceptable public behavior.

Accurate and correct information about various disabilities and medical conditions is vital to ensuring that passengers are not subjected to discrimination. For example, it may be necessary to determine if a passenger's disability causes annoying behavior or if (s)he is prone to violence. As suggested in Section 4 of this chapter, information can be requested in the application form or from a professional that will assist with making these decisions. Follow-up with a professional identified by the passenger might also be necessary to request further guidance on actual incidents. This information should be available to operators of the service so that they can respond appropriately to the person's disability.

The policies used in paratransit operation should also be consistent with those established for

the fixed route service. Policies should not be adopted solely for the paratransit service unless the issue is unique to that mode. If particular issues arise in paratransit operation, examine the current general service policy and revise it for all types of service if necessary. For example, an agency or parent may request that paratransit service be provided to an infant or child with a disability. If the transit provider had a policy for the fixed route service that requires children under a certain age to be accompanied by a parent or guardian, the same policy could be applied to the paratransit service. Determination of the child's ability to use the fixed route system could then assume the assistance of a parent/guardian.

The period for which service is refused should also be consistent between modes of service. For example, riders may be refused service for a particular trip on the fixed route service if they do not pay the fare. Similarly, paratransit service can be refused if the fare is not paid. It would not be acceptable, however, to not accept future trip requests on the paratransit service for a previous lack of payment if this is also not the policy on the fixed route system.

Circumstances Under which Service Can be Conditioned

In certain circumstances, it may be possible to mitigate the effects of a person's conduct by requiring that they meet certain conditions (e.g., use the service with an attendant). While the regulation does not allow transit agencies to require attendants in other cases, such a condition of use is permitted if the rider would otherwise be refused service. In other words, transit providers may place conditions on the use of service if they otherwise would have the right to refuse service.

For example, a rider with mental retardation may have a tendency to move around the paratransit vehicle and accost other passengers. The behavior may be able to be controlled by the presence of an attendant. Because such conduct would be seriously disruptive to the service, the transit provider would have the right to refuse service. They could also, therefore, require that the person travel with an attendant.

Circumstances Under Which Service Can be Suspended

In addition to permitting service to be refused or conditioned as described above, the regulations also specify one additional circumstance under which paratransit service may be suspended. Section 37.125(h) of the regulations allows paratransit service to be suspended, for a "reasonable period of time," for individuals who establish a "pattern or practice" of missing scheduled trips. This provision is included in the regulations to allow transit providers to respond to chronic "no-shows".

This provision does not apply to trips that are beyond the rider's control. For example, a rider could not be considered a "no-show" if:

- the vehicle arrived at the pickup location early or late and the person was not ready or

had left to call or make other arrangements;

- a sudden family emergency caused the person to change plans and did not allow time to notify the dispatcher of this change;
- the person had made a reasonable effort to notify the operator that service would no longer be needed but experienced an unreasonable delay getting through on the phone;
- a sudden turn for the worse in someone with a variable condition causes them to miss the trip.

It is important to note that "no-shows" are different than cancellations and that the regulations do not specify that service can be suspended for a pattern or practice of cancellations. A major cause of cancellations is the advance notice required for use of paratransit service - a policy that does not exist for fixed route service. Sanctions cannot be imposed on individuals whose schedules change frequently and who are therefore required to change or cancel their scheduled paratransit trips.

Developing a "No-Show" Suspension Policy

Before service can be suspended, a "no-show" suspension policy must be developed. Because the policy is part of the overall eligibility policy, it therefore must be developed with full public participation as specified in §37.137 of the regulations. This includes consultation with persons with disabilities (following an outreach effort to identify interested and affected persons), a public comment period, and a public hearing.

The no-show policy should address the following items:

- the amount of notice that riders must give if they want to cancel a scheduled trip;
- the frequency of no-shows that will constitute a "pattern or practice"; and
- the length of time for which service will be suspended.

Notice required for canceling a trip cannot exceed the amount of advance notice required to make a trip reservation. For example, riders cannot be asked to give 24 hours notice of a trip cancellation if "next day" service is provided.

Suspension of service for no-shows must be based on a "pattern or practice" of such activity rather than infrequent, one-time incidents. The frequency of no-shows that will be considered a pattern or practice can be either an absolute measure or a relative measure. An absolute measure would establish a specific number of no-shows in a given period of time that would be considered excessive. For example, such a policy could set three no-shows in a three-month period as a "pattern or practice". A relative measure would set a percentage

of no-shows to total trip requests. For example, it would be considered a pattern or practice if three percent of a person's trip requests in any three-month period resulted in no-shows.

The advantage of an absolute measure is that it is easier to measure and easier for riders to understand. It also lends itself to progressive action (e.g., a call after one no-show, a letter after two, and suspension after three). The primary disadvantage is that it does not account for differences in the number of trips made by riders. For example, three no-shows in a three-month period for someone who makes four one-way trips per week would mean that the person no-shows six percent of the time. A person who uses the service five days a week for work and makes 20 trips per week would be no-showing one percent of the time.

Regardless of the method used, the measure should be able to be defended as a pattern or practice. One way to do this is to compare the measure that is considered excessive to the systemwide average for no-shows. For example, if there is a one percent no-show rate for the entire system, establishing a standard that would equal a three percent rate, even for frequent users of the service, would be defensible.

The regulations do not provide guidance on what would constitute a "pattern or practice" of no-shows or what would be a reasonable period of suspension. Table 5 provides the no-show policy details of selected transit providers. As shown, most providers use an absolute standard. Many also have a standard that will lead to an escalation of actions (e.g., a number that will trigger a letter and a number that will result in suspension). The Southeastern Pennsylvania Transportation Authority has established a sliding scale that allows a different number of no-shows depending on the frequency with which the customer uses the service. Before suspending service, Ben Franklin Transit and the Port Authority of Allegheny County consider each situation on a case-by-case basis.

In general, the period of suspension should be long enough to be a deterrent but should not cause undue hardship. As shown in Table 5, a period of suspension of one month appears to be typical for a first violation. A number of providers increase the period of suspension for subsequent violations of the policy.

Other approaches, incentives, and disincentives can also be used to reduce the incidence of no-shows. The suspension policy and the reason for it should be known by riders. Include this information in brochures and rider manuals. DAST keeps notices about the no-show policy posted on vans. SEPTA develops a list each month of the twenty riders with the greatest number of no-shows and sends each a letter noting the effect of no-shows on the overall service. A copy of the letter sent by SEPTA is provided as Figure 7.

In addition to contacting riders, efforts should be made to determine the cause of the problem. Identify and address any operational problems that may be leading to no-shows. Many of the systems contacted for policy details indicated that they contact riders who no-show a first time to explain the importance of canceling in advance and to make sure that the person is aware of the service suspension policy. Extenuating circumstances and operational problems can also be noted and/or resolved at this time. Some systems also indicated that

Table 5. Details of No-Show Suspension Policies for Selected Transit Providers

Name of Transit Provider	# No-shows Considered Excessive	Period of Suspension	Advance Notice Required
Ann Arbor Transportation Authority Ann Arbor, MI	2 in one month → postcard 2nd occurrence in 6 months → second notice 1 more occurrence in 6 months → suspension or \$10 charge per no-show.	6 months	30 minutes
Ben Franklin Transit Richland, WA	3 in one month → letter 2nd occurrence → letter 3rd occurrence → suspension	Determined case-by-case	N/A
City of Charlotte Charlotte, NC	3 in 2 months	6 months	N/A
Delaware Administration for Specialized Transportation (DAST) Dover, DE	3 in one month → letter 2nd occurrence → letter 3rd occurrence → loss of subscription 4th occurrence → suspension	90 days	2 hours
Durango, CO	2 in 90 days → letter 3 in 90 days → suspension	2 weeks	30 minutes
Greater Bridgeport Transit District Bridgeport, CT	3 in 1 month → probation 2nd occurrence → suspension	14 days	2 hours or when office opens
Greeley, CO	3 in 1 month	1st time → 1 month 2nd time → 6 months 3rd time → 1 year	None. "No-show" only if vehicle arrives and person does not ride.

Table 5 continued

ADA Paratransit Eligibility Manual

Name of Transit Provider	# No-shows Considered Excessive	Period of Suspension	Advance Notice Required
Lane Transit District Eugene, OR	3 in 6 months	1 month	Anytime prior to arrival of vehicle.
Los Angeles County Metropolitan Transportation Authority Los Angeles, CA	1st no-show → verbal notice 2nd no-show → written notice 3rd no-show in 6 months → suspension	30 days	Anytime prior to arrival of vehicle.
Madison Metro Transit System Madison, WI	No set policy. Case-by-case review	No set policy. Case-by-case review.	Anytime prior to arrival of vehicle.
New York City Transit Authority New York, NY	3 in 6 months	1 month	N/A
OMNITRANS San Bernardino, CA	3 in 1 month → first warning 4 in 1 month → 2nd warning 5 in 1 month → suspension	30 days	Cancellation must be made before the vehicle is dispatched (Generally 1 hour).
Port Authority of Allegheny County (PAT); ACCESS Program Pittsburgh, PA	1st no-show → letter 2nd no-show → letter and phone call 3rd no-show → charge of \$5 Additional no-shows → \$5 case-by-case review for possible suspension	1st time → 1 week 2nd time → 2 weeks	Cancellation must be made before the vehicle is dispatched (Generally 1 hour).
Riverside Transit Agency Riverside, CA	2 in 1 month → notice 3 in 1 month → revocation of subscription privileges or suspension	60 days	1 hour

Name of Transit Provider	# No-shows Considered Excessive	Period of Suspension	Advance Notice Required
Southeastern Regional Transportation Authority (SEPTA) Philadelphia, PA	sliding scale based on rider's average trips/month: < 14 trips/mo. → no limit 15-39 trips/mo. → 4 no-shows/mo. allowed 40-59 trips/mo. → 6 no-shows/mo. allowed 60-79 trips/mo. → 8 no-shows/mo. allowed 80-99 trips/mo. → 10 no-shows/mo. allowed 100+ trips/mo. → 12 no-shows/mo. allowed	either 2 week suspension or fine and possible loss of subscription	2 hours
Transit Authority of River City (TARC) Louisville, KY	2 in 1 month → suspension	30 days	2 hours
Utah Transit Authority Salt Lake City, UT	3 in 1 month → letter 4 in one month → suspension	30 days	Any notice prior to vehicle arrival
Waukesha Transit System Waukesha, WI	2 in 1 month	30 days	1 hour
Worcester Regional Transit Authority Worcester, MA	1st no-show → letter 2nd no-show → letter 3rd no-show in 1 year → suspension	30 days	Up to 6:30AM: no requirement. 6:30-9:30AM: 1 hour after 9:30AM: 3 hrs

Figure 7. Letter Sent by SEPTA to Riders with Greatest Number of No-Shows Each Month

ParaTRANSIT

June 9, 1993

Dear

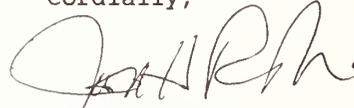
SEPTA ParaTransit is an advance scheduled shared-ride service. Space is very limited and costly to provide. Each month we print out a list of individuals who have more late cancellations (less than two hours notice) and/or no-shows than are allowed by SEPTA's generous policy. A review of the list indicates you are one of twenty-five people with the greatest number of late cancellations and/or no shows.

It would be appreciated if you could provide SEPTA more notice so we can offer your scheduled ride to someone else that needs service. Over \$17,000 was spent on providing transportation that was not used in May.

If you are having difficulties with our service or have questions about our policy, please call Customer Service at 580-7145.

Thank you for your cooperation.

Cordially,



Jon H. Roth
Acting Administrative/
Customer Service Supervisor



Southeastern Pennsylvania Transportation Authority

714 Market Street, Suite 500 • Philadelphia, PA 19106-2385 • (215) 580-7000 • Fax (215) 580-3709

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they will still charge the fare or will charge the sponsoring agency the full cost of the trip. The Ann Arbor Transportation Authority indicated that, as an alternative to suspending service, customers may be assessed a \$10 charge per no-show.

Another effective approach used by some providers is to leave a notice at the person's home indicating that the vehicle arrived and that they were recorded as a no-show. The no-show policy and the importance of canceling trips is also included in the notice.

Subscription service privileges can also be revoked if individuals regularly miss trips. For a period of time they can be required to call for each trip.

Many times, no-shows will also be caused by guardians or human service agency staff who assist the rider in making and keeping scheduled appointments. Follow-up with these individuals and/or contact with supervisors or program directors may be an effective approach.

Excessive no-show and cancellation rates can also be caused by inconvenient advance reservation and trip confirmation practices. In general, no-shows and cancellations will decrease as the "response time" is reduced. Confirming trip requests as they are placed also will reduce the number of cancellations.

Process Issues Associated with Suspending Service

Suspending a person's right to paratransit service is a serious matter. This is so not only because of the legal ramifications but because many riders may have few other or no transportation alternatives and may rely on services for employment, medical, and other essential services. Transit providers should have clear documentation of all missed trips and should be prepared to show that all aspects of the policy have been followed.

The regulations also require that before a suspension of services is imposed, administrative due process must be extended to the individual. A two-stage process is required, including initial notification and an opportunity for an informal hearing followed by a second notice and an opportunity to appeal. The exact process that must be used is explained in Appendix D to the regulations as follows:

"If the entity proposes to impose sanctions on someone, it must first notify the individual in writing (using accessible formats where necessary). The notice must specify the basis of the proposed action (e.g., Mr. Smith scheduled trips for 8 a.m. on May 15, 2 p.m. on June 3, 9 a.m. on June 21, and 9:20 p.m. on July 10, and on each occasion the vehicle appeared at the scheduled time and Mr. Smith was nowhere to be found) and set forth the proposed sanction (e.g., Mr. Smith would not receive service for 15 days).

The entity would provide the individuals an opportunity to be heard (i.e., an in-person informal hearing before a decisionmaker) as well as to present written and oral

information and arguments. All relevant entity records and personnel would be made available to the individual, and other persons could testify. It is likely that, in many cases, an important factual issue would be whether a missed trip was the responsibility of the provider or the passenger, and the testimony of other persons and the provider's records or personnel are likely to be relevant in deciding this issue. While the hearing is intended to be informal, the individual could bring a representative (e.g., someone from an advocacy organization, an attorney).

The individual may waive the hearing and proceed on the basis of written presentations. If the individual does not respond to the notice within a reasonable time, the entity may make, in effect, a default finding and impose sanctions. If there is a hearing, and the individual needs paratransit service to attend the hearing, the entity must provide it.

The entity must notify the individual in writing about the decision, the reasons for it, and the sanctions imposed, if any. Again, this information would be made available in accessible formats. In the case of a decision adverse to the individual, the administrative appeals process (detailed in §37.125 of the regulations) would apply." [Federal Register, September 6, 1991, page 45747]

All of the process issues associated with appeals of initial eligibility determinations, described in Section 8 of this chapter must be followed in the final appeal noted above. This would include a separation of function, allowing 60 days for the appeal to be requested, making a determination within 30 days of the hearing, and providing interpreters if needed. The same individuals who hear appeals of initial eligibility determinations do not, however, have to hear appeals of proposed service suspensions.

Finally, it is important to note that service must continue to be provided throughout the process. The transit provider cannot suspend service while any part of the process is pending.

Section 10. Visitor Policies

Section 2 of Chapter 1 of this manual describes the regulatory requirements concerning the provision of service to visitors. Basically, the regulations require that:

- ADA paratransit eligible visitors to an area must be provided 21 days of service;
- Eligibility determinations provided by other public entities are to be honored for this period of time;
- Individuals who do not have certification from another public entity are to be served if they claim to be ADA paratransit eligible. These individuals can be requested to provide documentation of place of residence and/or disability;

- The service provided to visitors must be the same as that provided to local residents traveling in the same area; and
- Visitors needing more than 21 days of service can be required to apply for local eligibility certification.

Transit providers should establish, as part of their visitor policy, the period of time within which the 21 days of service can be made. For example, a policy may state that visitor service will be provided "for 21 days in any six month period". The timeframe should be established as part of the planning process and must be set with full public participation.

Manual or automated rider and trip records can be coded to identify visitors, can display the period for which visitor travel will be provided, and can record the number of trips provided to date.

To avoid a lapse in service, transit providers should inquire whether or not a visitor will be needing more than 21 days of service during the established period of time when they call for their first ride. Certain parts of the application process may need to be completed before the visitor leaves their place of residence. For example, if the process requests professional verification as part of the initial application, the individual may need to have this portion of the form completed by a local professional before they leave. Form(s) that the person and/or a professional may need to complete should be sent or faxed in advance so that the person can bring these with them or return them in advance. This will enable the process to be completed and an eligibility determination to be made before the person's eligibility as a visitor runs out. This is particularly important for travellers who will need 21 consecutive or nearly consecutive days of service.

As noted above, visitors who have not been certified by another public entity and who claim to be eligible can be requested to provide certain documentation. Documentation of place of residence may be desired to ensure that the individual is from outside the transit providers jurisdiction or the combined jurisdiction of several transit agencies which may be providing coordinated, joint paratransit service. A picture ID would obviously be preferred, but it is important to note that many ADA paratransit eligible individuals may not have a drivers license or other form of photo identification. Several alternative forms of proof of residence should be considered. These might include a copy of a telephone bill that would provide an address and would list the visitor's phone number (which could be called to provide some form of verification). It may also include identification which the individual may have been provided by another service agency.

Documentation of disability may not be necessary in all cases. It will be particularly important if the person claims to have a "hidden disability" such as a heart condition, mental illness or other disability that is not obvious. Types of acceptable documentation might include proof of eligibility for other services based on disability such as documentation from a veterans organization, Social Security, a rehabilitation agency, independent living program, or other agency. Such forms of documentation probably will not be detailed enough to

definitively verify ADA paratransit eligibility and transit providers should not require such definitive proof. They will, however, be able to indicate that the person does in fact have a disability that would likely qualify them for paratransit service.

Chapter 4

Applying Eligibility Determinations to Daily Operations

As explained in Chapter 1 of this manual, eligibility for complementary paratransit service is based on *trips* that cannot be made on the fixed route transit system by individuals with disabilities. For this reason, the determination of ADA paratransit eligibility is not solely an administrative function performed separate from daily operations. While basic information about applicants' functional capabilities and need for paratransit service is developed in the initial eligibility certification process, the eligibility of specific trip requests made by individuals who are ADA paratransit eligible will be determined in daily operations. The availability and accessibility of fixed route service will need to be considered along with applicable environmental and architectural conditions to determine whether paratransit service is required or if travel on the fixed route service is an appropriate alternative.

This chapter addresses the determination of trip eligibility in daily operations. Section 1 reviews key information that will need to be available to operations personnel. Section 2 discusses trip-by-trip determination and suggests several practical approaches that can be applied in most operations. Section 3 notes some advanced technologies and recent developments in commercially available software that can assist in the operation of ADA paratransit services. Finally, Section 4 offers suggestions for encouraging conditionally eligible individuals to use fixed route service and for providing additional transportation alternatives.

Although the regulations *do* require that transit providers strictly limit eligibility and identify limitations and conditions of eligibility, it is important to note that they *do not* require that trip-by-trip determinations be conducted in daily operations. Transit providers can opt to offer broader service to ADA paratransit eligible individuals if it is decided that determining the eligibility of each trip is too difficult, not cost-effective, or not necessary to fully implement required paratransit service. Some level of trip-by-trip eligibility determination should be considered, however, if full implementation of the paratransit service requirements could become a financial burden. Only those costs associated with the provision of eligible trips can be included in any request of an undue financial burden waiver request.

Section 1. Important Operational Information

Much of the information obtained or developed in the eligibility determination process will be needed by schedulers, drivers, and other operations personnel to provide appropriate, effective paratransit service. Paratransit services typically maintain customer files with much of this information. The determination of ADA paratransit trip eligibility may, however, require these records to be expanded and enhanced.

In addition to name, address, and other general personal information, a customer record maintained by the operations department or contract operator will need to include:

- Information about the person's disability. In order to appropriately responding to a customer's needs and provide any necessary assistance, operations personnel will need basic information about the person's disability. For example, the customer record may indicate that the rider is blind, is moderately retarded, or has cerebral palsy and uses a wheelchair.

Certain medical information should be released only if it is vital to the effective and safe operation of the service. For example, the customer record may show that a person suffers from chronic fatigue but would not indicate that the individual has been exposed to the HIV virus. Certain medical information, if deemed vital, can also be released only to limited personnel such as managers or supervisors.

Operators will also need to have information about the particular effects of the disability. For example, it would be important to note if the individual is prone to seizures or certain types of behavior. It would also be helpful to provide suggestions for communicating with or otherwise assisting the individual that may have been noted in the application.

- Mobility aids used. This would include aids such as wheelchairs, walkers, braces, canes, and portable life support. It would also include information on service animals and/or the need for personal care attendants.

Detailed information on the size and weight of wheelchairs will be important for determining if the lifts available can accommodate the rider or if vehicles with particular accessibility features (e.g., a certain securement system) will be needed.

- Functional capabilities. In addition to basic information about the nature of the person's disability, operations staff will need to know the functional capabilities of customers. This could include the person's ability to board an accessible vehicle, to negotiate steep terrain, or to travel under certain environmental conditions. It may also include information about travel training that the rider has received and specific fixed routes which they can independently use.

Information provided to operations staff should be consistent with the information provided to the applicant. The level of detail provided should be determined by the degree of trip eligibility determination that will be conducted. For example, the specific temperature sensitivity of a rider (e.g., temperatures above 85 degrees Fahrenheit) would not be needed if trip determinations are going to be seasonally-based (e.g., the rider is eligible during hot weather months).

- Frequent travel information. If questions about common trips are included in the application, they can also be useful in determining the person's need for paratransit for

frequently made trips. This information can also help in predicting travel demand and structuring future subscription service or daily routes.

In addition to information obtained through the eligibility determination process, paratransit operations staff will also need information about fixed route services. They will also need certain geographic and architectural data in order to determine if there are conditions that could prevent customers with disabilities from getting to or from stops/stations. Again, the level of detail of this information depends on the degree of trip-by-trip determination that is done in operations. Additional information that should be considered includes:

- Fixed routes and schedules. Paratransit schedulers should have access to the latest fixed route information. A simple map that displays the routes overlaid on the ADA paratransit service area is one approach. In larger systems, giving schedulers access to computer programs used by public information staff that can show best routes given a particular origin and destination should be considered.

Knowledge of accessibility features of the fixed route system is also important. Accessible routes should be highlighted. If an "on-call" lift bus service¹⁶ is utilized, consideration should be given to combining this program with the paratransit operation or closely linking the two. It would be beneficial to be able to directly arrange for on-call lift bus service for individuals calling for paratransit who could use accessible fixed route service.

- Location of accessible bus stops/rail stations. Information about stations and stops that are accessible can also be made available to paratransit schedulers. A survey of bus stops can be conducted to identify those areas where the geography or street conditions may prevent individuals from boarding and disembarking.¹⁷

Paratransit operators asked to do trip-by-trip eligibility determination will also need current information about system access such as the latest information on elevator outages.

- Map of the ADA service area. Maps used in scheduling should delineate the ADA paratransit service area. This is particularly important if the service area is limited to 3/4 mile corridors specified in the regulations.

¹⁶ For information about on-call bus service, also known as "call-a-lift-bus", see Chapter 6 of the *ADA Paratransit Handbook*, UMTA-MA-06-0206-91-1, September, 1991.

¹⁷ The Virginia Department of Rail and Public Transportation has developed a *Bus Stop Checklist* guide which is intended to assist operators with such surveys.

It may also be helpful to display other distance lines, such as a 1/4 mile or 1/2 mile distance from fixed routes. This will be helpful in determining if paratransit is required for individuals who can independently travel distances less than 3/4 of a mile and are conditionally eligible based on the distance to and from stops/stations.

- Areas of steep terrain. The map of the service area should also highlight areas of steep terrain that could prevent individuals with ambulatory disabilities from getting to or from stops/stations. While it may not be practical to highlight all areas which exceed the regulatory definition of an accessible grade, it may be useful to display extreme terrain that is a definite barriers to travel.
- Location of curb cuts and sidewalks. The location of curb cuts within the service area can also be displayed. Cities and towns are required by the Department of Justice's ADA regulations to include in their ADA transition plans a schedule for building curb cuts.¹⁸ Maps showing the location of existing and planned curb cuts may be available from local city engineering offices.

Areas that lack sidewalks can also prevent independent travel to transit stops/stations. Local public works offices may also be able to assist in the collection of this information.

- Major intersections and other barriers. Finally, it may be helpful for schedulers to know the location of other manmade or natural features that could act as barriers to travel by individuals with disabilities. This might include highways, busy intersections, railroad tracks, waterways, or other similar features. It may also include streets and sidewalks that are under construction. This information will need to be regularly updated with the help of local planning and public works agencies.

The above information can be developed and displayed manually. As discussed in Section 3 of this chapter, it can also be developed with the aid of certain advanced technologies.

Section 2. Trip-by-Trip Eligibility Determinations

The consideration of all factors that may affect trip eligibility is a difficult undertaking at best. Even with detailed information about the fixed route service and extensive environmental, geographic, and architectural information, it may still not be possible to determine if certain conditions, when combined with a person's disability prevent use of the fixed route service. For example, in advanced reservation operation, it is not be possible to know in advance the environmental conditions such as temperature, humidity, snow, ice, or air pollution that may exist at the time of travel. The effects of certain types of disabilities,

¹⁸ For more information on transition planning requirements or city/town responsibility for building curb cuts, see 28 CFR Part 35, "Nondiscrimination on the Basis of Disability in State and Local Government Services; Final Rule", Section 35.150(d)(2), *Federal Register*, July 26, 1991, page 35720.

such as multiple sclerosis and mental illnesses also can change from day to day. Transit providers will need to rely on the personal assessments of travel capabilities made by individuals with these disabilities.

While it may be impractical or impossible to take into consideration all of the factors associated with trip eligibility, there are certain approaches that can be taken that can allow a significant portion of all trips provided to be reviewed, at some level, for eligibility. These approaches are described below.

Review Subscription Trips

Many paratransit programs permit riders to obtain reservations for repeat trips by calling only periodically. For example, a rider may have a standing reservation for daily travel to work which only needs to be reconfirmed once a month or every three months. These "subscription" trips have the same origin and are made to the same destination. In many systems, subscription trips can account for 40-50 percent of all trips provided.

A detailed analysis of each subscription rider's ability to make this one repeat trip can be conducted using information obtained in the application for ADA paratransit eligibility. Additional information about exact travel distances involved or geographic/architectural features that might prevent travel can be obtained by a site review or by speaking to the rider. A single review can impact many future trips. Determining that ten current paratransit riders could use fixed route service for daily travel to work, for example, could reduce paratransit trip demand by about 5,200 trips per year.

Review Other Frequently Made Trips

Non-subscription trips are also often made from the same origin to the same destination. For example, individuals will often grocery shop at the same store or may be members of a particular civic organization. A review of possible use of fixed route service to meet these common travel needs can be done. As with subscription service, such reviews will impact many potential paratransit trip requests.

As noted in Section 4 of Chapter 3 of this manual, information about common trips can be included in the initial eligibility application form. Commonly made trips can also be generated from trip records by sorting trips by rider and by origin and destination.

Generalize Limitations of Eligibility

Another approach to simplifying trip eligibility determinations is to generalize the conditions that have been placed on an individual's ADA paratransit eligibility. By broadening the condition, it may then become practical to consider the condition when reviewing a particular trip request.

For example, a rider may not be able to use fixed route service when there is snow or ice. Instead of taking current weather conditions into consideration in the scheduling process, the rider could be considered eligible during those times of the year when snow and ice are present. Similarly, a person with a sensitivity to high temperatures and/or humidity could be granted eligibility during hot weather months. This person would be expected to use fixed route service at other times.

These generalized conditions of eligibility could be included in the customer record file. Schedulers could then easily determine if the trip request should be accommodated.

Consideration of Easily Tracked Eligibility Conditions

Other conditions of eligibility may also be easily identified using information from the application review process. This information can then be prominently displayed on computer scheduling screens (or can be noted on rider record cards) to allow schedulers to determine if the use of fixed route service might be a reasonable alternative for a particular trip that is being requested.

Individuals determined to be unconditionally eligible would be identified as such and no further consideration of their trip request would be necessary as long as both the origin and destination were within the ADA paratransit service area. Persons determined conditionally eligible would have key information about their eligibility indicated. Examples of conditions that can be easily identified and tracked and which may be practical to consider in the scheduling process include:

- whether the person has received travel training for certain trips;
- whether the person is able to use accessible fixed route services;
- whether eligibility is based on an inability to negotiate transfers and complex fixed route trips;
- the ability of the person to independently travel certain distances;
- whether travel is prevented at certain times of day (e.g., night blindness); or
- whether travel is prevented in certain seasons (e.g., winter due to snow/ice, or summer due to heat).

Using basic information such as that listed above, schedulers may sometimes be able to definitively determine if paratransit is required. For example, a request for a trip for which the individual has been trained could be quickly assessed. A decision on a midday trip request by an individual determined eligible on the basis of night blindness could be easily made. Similarly, a determination on a trip request that involves the use of only one route could be made if eligibility is based on the person's inability to negotiate complex trips.

In other cases, it may not be possible to arrive at a definitive determination of eligibility, but use of the fixed route service may be a distinct possibility. For example, the customer record of a wheelchair-user may show that he/she can use accessible vehicles and can travel up to 1/2 mile to and from bus stops. The origin and destination may both be close to an accessible route and the request may be at a time of the year when weather is not a factor. Without detailed information about curb cuts and terrain, it is not possible to make a final decision but there would seem to be a good chance that the person could use the fixed route service. In this case, the call-taker or scheduler may want to ask the person "Are you aware that Bus XYZ is now lift-equipped and is only 3 blocks from you?" or a stronger suggestion such as "Our records indicate that you are able to use accessible buses. Bus XYZ is lift equipped and can be used for this trip" could be made. The customer may decide that this fixed route alternative can be used or may point out that other barriers exist. Under this approach, transit providers would rely on customers to note difficult to track issues such as a lack of curb cuts and/or steep terrain.

More accurate determinations would obviously be possible if schedulers were given easy access to other eligibility conditions and had detailed service area and environmental information. Examples of other factors that would be slightly more difficult to utilize in daily operation but which could be considered include:

- whether eligibility is based on an inability to travel in areas of steep terrain (combined with detailed knowledge of the terrain in the area);
- whether eligibility is based on a lack of curb cuts (combined with a map of curb cuts in the area);
- whether eligibility is based on an inability to cross busy streets and intersections (combined with information about busy roadways and difficult intersections in the area).

As can be seen, trip-by-trip eligibility determinations can be considered at many levels of complexity. There is a clear benefit to using some of the simpler approaches outlined above. A careful analysis of the costs and benefits of maintaining more detailed data and asking operators to spend the additional time making trip determinations should be considered before more involved approaches are used in daily operation.

Section 3. Using Advanced Technologies to Make Trip Eligibility Determinations

A number of advanced technologies are available that can assist in maintaining and using ADA eligibility information. Following is a brief description of each and a discussion of possible applications to the eligibility process.

Relational Database Management Systems (RDMS)

Relational database management systems are "off-the-shelf" software packages that can be used to create and manage data files. Separate files can be created (e.g., customer files and trip files) and this information can then be "related" by using a common identifier (e.g., a customer ID). RDMS software is inexpensive and can be programmed by users with basic to moderate computer skills. Data files and reports can be customized to address the particular need.

RDMS software could be used by smaller operators to store detailed eligibility information, including specific conditions/limitation of eligibility. As trip requests are received, call-takers or schedulers could recall information on the rider and use this data in making trip eligibility decisions. RDMS software could also keep trip records for individuals being served as visitors and assist schedulers in knowing when to request that these persons apply for local eligibility.

In addition to assisting with ADA paratransit eligibility, RDMS software can be applied to many other paratransit operations needs such as general client information, trip records, reporting, and billing. For more information on RDMS, see:

Commercial Software Applications for Paratransit, USDOT Report #DOT-I-84-51, available through the USDOT Technology Sharing Program.

Automated Client Information Systems

Several software packages are also available that are designed specifically to allow for the storage and retrieval of detailed information on clients/customers. In many cases, these systems have been developed from standard RDMS. While they serve the same basic purpose as RDMS, the main advantage of these customized packages is that they include special screen displays and menus that make information storage and retrieval quicker and easier for the user.

Often, these systems are one piece of larger computer scheduling and dispatching programs. It is possible, however, to purchase client information system modules separate from the

larger programs. Typically, these modules cost less than \$5,000. Automated client information systems are also used extensively by human service agencies.

Information about several available automated client information systems is included in:

PCs in Transportation Software Directory, a catalog available through PC-TRANS at the University of Kansas Transportation Center. PC-TRANS' phone number is (913) 864-5655.

Automated Routing and Scheduling Systems

Many of the commercially-available routing and scheduling programs developed for the paratransit industry have recently been upgraded to include features that address ADA information needs and requirements. As noted above, these packages typically include client information modules as well as trip files, scheduling algorithms, reporting routines, and other functions designed to offer full support in all aspects of paratransit operation.

Some of the common features that have been developed for ADA paratransit operation include:

ADA Paratransit Eligible Customer Information: Individuals who are determined ADA paratransit eligible can be distinguished from other riders. Conditions and limitations of eligibility and/or the regulatory categories under which riders are eligible can be displayed. If ADA paratransit eligible persons are also eligible under other programs, this multiple eligibility information can also be displayed.

To be of immediate use to schedulers, the above client information can be displayed in "real-time", meaning that it can be immediately accessed as part of a scheduling routine.

Relationship of Desired Trip to the Fixed Route System: The ADA regulations require transit providers to offer complementary paratransit service to eligible individuals in an area defined by corridors 3/4 of a mile to each side of fixed routes plus to other areas within a "core service area". In determining if a requested trip is eligible, transit providers will need to check the geographic relationship of the origin and destination to the fixed route service. In addition, customers may be able to get to and from bus stops up to a certain distance (e.g., up to 1/4 of a mile) but are eligible for paratransit when they would need to travel a greater distance to and from bus stops.

Several scheduling systems are now capable of incorporating geographic information about the fixed route system. ADA paratransit service corridors can be displayed and calculations of distances from origin or destination to the closest fixed route can be made. More accurate systems will develop these calculations by using exact latitude/longitude coordinates or street centerlines. Trip eligibility can then be determined using this information.

Visitors Information: As noted in Chapter 1 of this manual, the regulations require that ADA paratransit systems accommodate visitors to the area. Visitors are to be provided with 21 days of service over a reasonable period of time if they have been determined eligible by another transit agency or if they claim to be eligible. After 21 days of service, the person can be required to go through the local eligibility determination process.

Several paratransit scheduling programs are able to process visitor requests, track the days of service provided to a visitor, and display this information as part of the scheduling routine.

Documenting Compliance: In addition to assisting with determining individual and trip eligibility, these systems are also capable of providing data and developing reports that can assist in assuring compliance with the regulations. For example, the ADA regulations require that complementary paratransit service, when fully implemented, cannot have capacity constraints. Examples of capacity constraints are an excessive number of trip denials, late pick-ups, and long trips. Trip requests are to be considered denials if they cannot be scheduled within one hour of the requested pick-up time. Additionally, the regulations limit subscription trips ("standing orders") to no more than 50 percent of total trips when capacity constraints exist.

Several software systems allow users to track and analyze capacity constraints and subscription trips.

As part of the preparation of this manual, information about the availability of the above features was requested from 30 of the leading paratransit software companies. Twelve companies responded and indicated that one or more of these features was either currently available or in development. The tables on the following pages summarize this information. Table 6 summarizes client information features. Table 7 presents information about displaying the ADA paratransit service area and calculating distances to and from stops. Table 8 addresses features included to accommodate visitor requirements. Table 9 notes capabilities for collecting and analyzing capacity constraint and subscription information.

For more information on the capabilities of automated routing and scheduling systems, see:

Assessment of Computer Dispatch Technology in the Paratransit Industry, USDOT Report #DOT-T-92-23, available through the USDOT Technology Sharing Program.

Advanced Public Transportation Systems: The State-of-the-Art Update '92, USDOT Report #DOT-VNTSC-FTA-92-3, available through the National Technical Information Service, Springfield, Virginia, 22161.

Table 6. Capabilities of Selected Computer Scheduling and Dispatching Systems to Capture and Display ADA Paratransit Eligibility Information

Company Name (Software Name) Contact Person: Phone #	ADA Eligible Persons Identified in "Real-Time?"	Can Eligibility Conditions be Displayed?	# of Conditions that can be Displayed	Can "Categories" of Eligibility be Displayed?	Can Multiple Eligibilities (ADA, Medicaid, etc.) be Displayed?	# of Types of Eligibility that can be Displayed
Aleph Computer Systems, Inc. (Share-Ride Scheduling Program) Mr. Ray Zhang: (510) 843-4443	Yes	Yes	20	Yes	Yes	20
Automated Business Solutions, Inc. (PTMS-Paratransit Management and Scheduling) Mr. Stephen Pellegrini: (215) 565-2800	Yes	Yes		Yes	Yes	5
Automated Dispatch Services (ADS), Inc. (EMtrack) Mr. David Brown: (305) 471-0441	Yes	Yes	As Screen Space Allows	Yes	Yes	As Screen Space Allows
COMSIS Corporation (COMSIS Trip Planning System [CTPS]) Ms. Marcia G. DeJulio: (412) 279-9110	Yes	In Development		Yes	In Development	
Decision Sciences, Inc. (Quick-Route [TM]) Mr. Chuck Jones: (708) 965-1581	Yes	Yes	10	Yes	Yes	3
Easy Street Software, Inc. (Easy Trips) Mr. Patrick Simmons: (919) 848-9991	Yes	Yes	14 plus "other"	Yes	Yes	No Practical Limit

Table 6 continued

Company Name (Software Name) Contact Person: Phone #	ADA Eligible Persons Identified in "Real-Time?"	Can Eligibility Conditions be Displayed?	# of Conditions that can be Displayed	Can "Categories" of Eligibility be Displayed?	Can Multiple Eligibilities (ADA, Medicaid, etc.) be Displayed?	# of Types of Eligibility that can be Displayed
GIRO (GIRO/ACCESS) Mr. Nigel Hamer: (514) 383-0404	Yes	Yes	Seasonal		Yes	Multiple "Sponsors"
Ketron Div. of The Bionetics Corp. (Paratransit Management Information and Scheduling System [PARMIS]) Mr. John N. Balog: (215) 648-9000	Yes	Yes	No Limit	Yes	Yes	6
Micro Dynamics Corporation (CADMOS - Prot) Mr. Paul D. Buroker: (812) 477-3090	Yes	Yes	As Needed- Customized	Yes	Yes	As Needed
Multisystems, Inc. (MIDAS) Mr. Kurt Dossin: (617) 864-5810	Yes	Yes	Unlimited	Yes	Yes	5
Paratransit Systems Int'l., Inc. (Rides Unlimited) Mr. Jeff Forville: (800) 926-2345	Yes	Yes	32	Yes	Yes	48
Philip A. Dorcas and Assoc. (PSP - Paratransit Scheduling Package) Mr. Phil Dorcas: (817) 921-9704	Yes	Yes	36	Yes	Yes	36
UMA Engineering Ltd. (Quo Vadis) Mr. Mark Miller: (416) 238-0007	Yes	Yes	No Restriction	Yes	Yes	No Restriction

Table 7. Capabilities of Selected Computer Scheduling and Dispatching Systems to Display the ADA Paratransit Service Area and Calculate Distances to and From Stops/Stations

Company Name (Software Name) Contact Person: Phone #	Can ADA Service Area Corridors and Origins and Destinations be Displayed?	Can Real-Time Calculations of Distance From Routes to Origins and Destinations be Made?	Basis of Distance Calculations
Aleph Computer Systems, Inc. (Share-Ride Scheduling Program) Mr. Ray Zhang: (510) 843-4443	Yes	Yes	Zonal-Based Centroids
Automated Business Solutions, Inc. (PIMS-Paratransit Management and Scheduling) Mr. Stephen Pellegrini: (215) 565-2800	Yes	Yes	Street Centerlines
Automated Dispatch Services (ADS), Inc. (EMtrack) Mr. David Brown: (305) 471-0441	Yes	Yes	Latitude/Longitude
COMSIS Corporation (COMSIS Trip Planning System [CTPS]) Ms. Marcia G. DeJulio: (412) 279-9110	Yes	In Development	Latitude/Longitude
Decision Sciences, Inc. (Quick-Route [TM]) Mr. Chuck Jones: (708) 965-1581	In Development	In Development	Latitude/Longitude
Easy Street Software, Inc. (Easy Trips) Mr. Patrick Simmons: (919) 848-9991	Yes	Yes	Street Centerlines (preferred) or Zonal- Based Centroids or Latitude/Longitude

Table 7 continued

ADA Paratransit Eligibility Manual

Company Name (Software Name) Contact Person: Phone #	Can ADA Service Area Corridors and Origins and Destinations be Displayed?	Can Real-Time Calculations of Distance From Routes to Origins and Destinations be Made?	Basis of Distance Calculations
GIRO (GIRO/ACCESS) Mr. Nigel Hamer: (514) 383-0404	In Development	In Development	Zonal-Based Centroids or Latitude/Longitude or Street Centerlines
Ketron Div. of The Bionetics Corp. (Paratransit Management Information and Scheduling System [PARMIS]) Mr. John N. Balog: (215) 648-9000	In Development	In Development	Latitude/Longitude
Micro Dynamics Corporation (CADMOS - Prot) Mr. Paul D. Buroker: (812) 477-3090	In Development	In Development	Zonal-Based Centroids or Latitude/Longitude
Multisystems, Inc. (MIDAS) Mr. Kurt Dossin: (617) 864-5810	Yes	In Development	Latitude/Longitude
Paratransit Systems Int'l., Inc. (Rides Unlimited) Mr. Jeff Forville: (800) 926-2345	Yes	In Development	Latitude/Longitude
Philip A. Dorcas and Associates (PSP - Paratransit Scheduling Package) Mr. Phil Dorcas: (817) 921-9704	In Development	In Development	Options being evaluated
UMA Engineering Ltd. (QuoVadis) Mr. Mark Miller: (416) 238-0007	Yes	Yes	Latitude/Longitude

Table 8. Capabilities of Selected Computer Scheduling and Dispatching Systems to Track Service Provided to Visitors

Company Name (Software Name) Contact Person: Phone #	Can Requests from Visitors be Processed as part of Scheduling Routine?	Can Days of Service Provided to Visitors be Tracked and Displayed?
Aleph Computer Systems, Inc. (Share-Ride Scheduling Program) Mr. Ray Zhang: (510) 843-4443	Yes	Yes
Automated Business Solutions, Inc. (PtMS-Paratransit Management and Scheduling) Mr. Stephen Pellegrini: (215) 565-2800	Yes	Yes
Automated Dispatch Services (ADS), Inc. (EMtrack) Mr. David Brown: (305) 471-0441	Yes	In Development
COMSIS Corporation (COMSIS Trip Planning System [CTPS]) Ms. Marcia G. DeJulio: (412) 279-9110	Yes	Yes
Decision Sciences, Inc. (Quick-Route [TM]) Mr. Chuck Jones: (708) 965-1581	Yes	Yes
Easy Street Software, Inc. (Easy Trips) Mr. Patrick Simmons: (919) 848-9991	Yes	Yes

Table 8 continued

Company Name (Software Name) Contact Person: Phone #	Can Requests from Visitors be Processed as part of Scheduling Routine?	Can Days of Service Provided to Visitors be Tracked and Displayed?
GIRO (GIRO/ACCESS) Mr. Nigel Hamer: (514) 383-0404	Yes	Yes
Ketron Div. of The Bionetics Corp. (Paratransit Management Information and Scheduling System [PARMIS]) Mr. John N. Balog: (215) 648-9000	Yes	Yes
Micro Dynamics Corporation (CADMOS - Prot) Mr. Paul D. Buroker: (812) 477-3090	Yes	Yes
Multisystems, Inc. (MIDAS) Mr. Kurt Dossin: (617) 864-5810	Yes	Yes
Paratransit Systems Int'l, Inc. (Rides Unlimited) Mr. Jeff Forville: (800) 926-2345	Yes	Yes
Philip A. Dorcas and Associates (PSP - Paratransit Scheduling Package) Mr. Phil Dorcas: (817) 921-9704	Yes	Yes
UMA Engineering Ltd. (Quo Vadis) Mr. Mark Miller: (416) 238-0007	Yes	Yes

Table 9. Capabilities of Selected Computer Scheduling and Dispatch Systems to Track and Analyze Capacity Constraints and Subscription Service

Company Name (Software Name) Contact Person: Phone #	Can System Track and Analyze				Can Analysis be Done by		
	Trip Denials	Late Pick-ups	Long Trips	Subscription Trips	Time of Day and Day of the Week	Subregions of the Service Area	Individual Rider
Aleph Computer Systems, Inc. (Share-Ride Scheduling Program) Mr. Ray Zhang: (510) 843-4443	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Automated Business Solutions, Inc. (PTMS-Paratransit Management and Scheduling) Mr. Stephen Pellegrini: (215) 565-2800	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Automated Dispatch Service (ADS), Inc. (EMtrack) Mr. David Brown: (305) 471-0441	Yes	Yes	Yes	Yes	Yes	Yes	In Development
COMSIS Corporation (COMSIS Trip Planning System [CTPS]) Ms. Marcia G. DeJulio: (412) 279-9110	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Decision Sciences, Inc. (Quick-Route [TM]) Mr. Chuck Jones: (708) 965-1581	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Easy Street Software, Inc. (Easy Trips) Mr. Patrick Simmons: (919) 848-9991	Yes	Yes	Yes	Yes	Yes	Yes	Yes

Table 9 continued

ADA Paratransit Eligibility Manual

Company Name (Software Name) Contact Person: Phone #	Can System Track and Analyze					Can Analysis be Done by		
	Trip Denials	Late Pick-ups	Long Trips	Subscription Trips	Time of Day and Day of the Week	Subregions of the Service Area	Individual Rider	
GIRO (GIRO/ACCESS) Mr. Nigel Hamer: (514) 383-0404	Yes	Yes	Yes	Yes	Yes	No	Yes	
Ketron Div. of The Bionetics Corp. (Paratransit Management Information and Scheduling System [PARMIS]) Mr. John N. Balog: (215) 648-9000	Yes	Yes	Yes	Yes	Yes	Yes	Yes	
Micro Dynamics Corporation (CADMOS - Prot) Mr. Paul D. Buroker: (812) 477-3090	Yes	Yes	Yes	Yes	Yes	Yes	Yes	
Multisystems, Inc. (MIDAS) Mr. Kurt Dossin: (617) 864-5810	Yes	Yes	No	Yes	Yes	Yes	Yes	
Paratransit Systems Int'l, Inc. (Rides Unlimited) Mr. Jeff Forville: (800) 926-2345	In Development	Yes	Yes	Yes	Yes	Yes	Yes	
Philip A. Dorcas and Associates (PSP - Paratransit Scheduling Package) Mr. Phil Dorcas: (817) 921-9704	In Development	Yes	In Development	Yes	In Development	Yes	Yes	
UMA Engineering Ltd. (Quo Vadis) Mr. Mark Miller: (416) 238-0007	Yes	Yes	Yes	Yes	Yes	In Development	Yes	

GIS and Computer Mapping Systems

Geographic information systems (GIS) provide database management capabilities for the display of spatial data, and provide users with the ability to perform analysis of geographic features. Many of the scheduling and dispatching systems discussed above utilize GIS to code the location of origins, destinations, and fixed route services. This then allows distances from stops/stations to be calculated.

In addition to assisting with the calculation of required travel distances, GIS can be used to locate and store information on other geographic features. This could include curb cuts, areas of steep terrain, or other manmade or natural barriers to travel. Such displays and information can then be incorporated into complex scheduling systems. GIS can also be used independent of scheduling programs to display the ADA paratransit service area, origins, destinations, and other key geographic information that can then be considered in the scheduling process.

For more information on GIS, see:

Current Use of Geographic Information Systems in Transit Planning, USDOT Report #DOT-T-92-02, available through the USDOT Technology Sharing Program.

Section 4. Providing Alternatives/Market-Based Approaches

Appropriate use of ADA paratransit service can also be achieved by encouraging eligible individuals to use fixed route service and by providing attractive alternatives to the paratransit service. Such approaches can supplement efforts to do trip-by-trip determinations as part of paratransit operations.

Fare policies for fixed route and paratransit services will obviously impact rider choice. Individuals who are conditionally ADA paratransit eligible (i.e., they can use fixed route service for some trips) can be encouraged to utilize mainline service by maintaining a lower fare for this service. This can be achieved by pricing paratransit service higher than fixed route service (the regulations permit a paratransit fare that is a maximum of twice the base fixed route fare for a comparable trip) or by offering fixed route fare discounts and special promotions. Because a higher paratransit fare will also impact those who must use paratransit service (unconditionally ADA paratransit eligible persons), consideration of the latter approach may be preferable.

Transit providers presently must offer persons with disabilities a 50 percent fare discount during off-peak hours. Consideration should be given to expanding this discount to all hours. ADA paratransit eligibility documentation could then be used as identification to qualify individuals for this discount. The Los Angeles County Metropolitan Transportation Authority presently has such a program for individuals who are conditionally ADA

paratransit eligible. This encourages these eligible individuals to use the fixed route service when they are able.

Also consider special promotions that allow persons with disabilities to use fixed route service free or at a discount for a limited time. Conditionally eligible persons could be mailed a monthly pass when they are notified of their eligibility determination. The notification letter could encourage use of the fixed route system and offer training, special instruction, trip planning services, or other assistance.

Another alternative would be to encourage local private taxi companies to begin offering accessible taxi service. Initial capital and/or assistance could be considered to demonstrate the feasibility of the service. An ongoing accessible taxi program could also be funded to supplement ADA paratransit service. This program could provide a lower level of subsidy to riders than is provided on the standard paratransit system. Individuals may opt to pay a higher fare for immediate response taxi service rather than make arrangements for ADA paratransit service a day in advance.

Utilizing these approaches will encourage ADA paratransit eligible persons to utilize fixed route services and will expand travel alternatives available to them. More decisions about the appropriate use of paratransit service will be made by riders which will ease requirements for trip-by-trip determinations in daily operation.

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Appendix A

**49 CFR Part 37 Sections 37.121 through 37.127
and related sections of Appendix D**



(c) Requirements for complementary paratransit do not apply to commuter bus, commuter rail, or intercity rail systems.

§ 37.123 ADA paratransit eligibility: Standards.

(a) Public entities required by § 37.121 of this subpart to provide complementary paratransit service shall provide the service to the ADA paratransit eligible individuals described in paragraph (e) of this section.

(b) If an individual meets the eligibility criteria of this section with respect to some trips but not others, the individual shall be ADA paratransit eligible only for those trips for which he or she meets the criteria.

(c) Individuals may be ADA paratransit eligible on the basis of a permanent or temporary disability.

(d) Public entities may provide complementary paratransit service to persons other than ADA paratransit eligible individuals. However, only the cost of service to ADA paratransit eligible individuals may be considered in a public entity's request for an undue financial burden waiver under §§ 37.151-37.155 of this part.

(e) The following individuals are ADA paratransit eligible:

(1) Any individual with a disability who is unable, as the result of a physical or mental impairment (including a vision impairment), and without the assistance of another individual (except the operator of a wheelchair lift or other boarding assistance device), to board, ride, or disembark from any vehicle on the system which is readily accessible to and usable by individuals with disabilities.

(2) Any individual with a disability who needs the assistance of a wheelchair lift or other boarding assistance device and is able, with such assistance, to board, ride and disembark from any vehicle which is readily accessible to and usable by individuals with disabilities if the individual wants to travel on a route on the system during the hours of operation of the system at a time, or within a reasonable period of such time, when such a vehicle is not being used to provide designated public transportation on the route.

(i) An individual is eligible under this paragraph with respect to travel on an otherwise accessible route on which the boarding or disembarking location which the individual would use is one at which boarding or disembarking from the vehicle is precluded as provided in § 37.167(g) of this part.

(ii) An individual using a common wheelchair is eligible under this

paragraph if the individual's wheelchair cannot be accommodated on an existing vehicle (e.g., because the vehicle's lift does not meet the standards of part 38 of this title), even if that vehicle is accessible to other individuals with disabilities and their mobility wheelchairs.

(iii) With respect to rail systems, an individual is eligible under this paragraph if the individual could use an accessible rail system, but—

(A) there is not yet one accessible car per train on the system; or

(B) key stations have not yet been made accessible.

(3) Any individual with a disability who has a specific impairment-related condition which prevents such individual from traveling to a boarding location or from a disembarking location on such system.

(i) Only a specific impairment-related condition which prevents the individual from traveling to a boarding location or from a disembarking location is a basis for eligibility under this paragraph. A condition which makes traveling to boarding location or from a disembarking location more difficult for a person with a specific impairment-related condition than for an individual who does not have the condition, but does not prevent the travel, is not a basis for eligibility under this paragraph.

(ii) Architectural barriers not under the control of the public entity providing fixed route service and environmental barriers (e.g., distance, terrain, weather) do not, standing alone, form a basis for eligibility under this paragraph. The interaction of such barriers with an individual's specific impairment-related condition may form a basis for eligibility under this paragraph, if the effect is to prevent the individual from traveling to a boarding location or from a disembarking location.

(f) Individuals accompanying an ADA paratransit eligible individual shall be provided service as follows:

(1) One other individual accompanying the ADA paratransit eligible individual shall be provided service—

(i) If the ADA paratransit eligible individual is traveling with a personal care attendant, the entity shall provide service to one other individual in addition to the attendant who is accompanying the eligible individual;

(ii) A family member or friend is regarded as a person accompanying the eligible individual, and not as a personal care attendant, unless the family member or friend registered is acting in the capacity of a personal care attendant;

Subpart F—Paratransit as a Complement to Fixed Route Service

§ 37.121 Requirement for comparable complementary paratransit service.

(a) Except as provided in paragraph (c) of this section, each public entity operating a fixed route system shall provide paratransit or other special service to individuals with disabilities that is comparable to the level of service provided to individuals without disabilities who use the fixed route system.

(b) To be deemed comparable to fixed route service, a complementary paratransit system shall meet the requirements of §§ 37.123-37.133 of this subpart. The requirement to comply with § 37.131 may be modified in accordance with the provisions of this subpart relating to undue financial burden.

(2) Additional individuals accompanying the ADA paratransit eligible individual shall be provided service, provided that space is available for them on the paratransit vehicle carrying the ADA paratransit eligible individual and that transportation of the additional individuals will not result in a denial of service to ADA paratransit eligible individuals;

(3) In order to be considered as "accompanying" the eligible individual for purposes of this paragraph (f), the other individual(s) shall have the same origin and destination as the eligible individual.

§ 37.125 ADA paratransit eligibility: Process.

Each public entity required to provide complementary paratransit service by § 37.121 of this part shall establish a process for determining ADA paratransit eligibility.

(a) The process shall strictly limit ADA paratransit eligibility to individuals specified in § 37.123 of this part.

(b) All information about the process, materials necessary to apply for eligibility, and notices and determinations concerning eligibility shall be made available in accessible formats, upon request.

(c) If, by a date 21 days following the submission of a complete application, the entity has not made a determination of eligibility, the applicant shall be treated as eligible and provided service until and unless the entity denies the application.

(d) The entity's determination concerning eligibility shall be in writing. If the determination is that the individual is ineligible, the determination shall state the reasons for the finding.

(e) The public entity shall provide documentation to each eligible individual stating that he or she is "ADA Paratransit Eligible." The documentation shall include the name of the eligible individual, the name of the transit provider, the telephone number of the entity's paratransit coordinator, an expiration date for eligibility, and any conditions or limitations on the individual's eligibility including the use of a personal care attendant.

(f) The entity may require recertification of the eligibility of ADA paratransit eligible individuals at reasonable intervals.

(g) The entity shall establish an administrative appeal process through which individuals who are denied eligibility can obtain review of the denial.

(1) The entity may require that an appeal be filed within 60 days of the denial of an individual's application.

(2) The process shall include an opportunity to be heard and to present information and arguments, separation of functions (i.e., a decision by a person not involved with the initial decision to deny eligibility), and written notification of the decision, and the reasons for it.

(3) The entity is not required to provide paratransit service to the individual pending the determination on appeal. However, if the entity has not made a decision within 30 days of the completion of the appeal process, the entity shall provide paratransit service from that time until and unless a decision to deny the appeal is issued.

(h) The entity may establish an administrative process to suspend, for a reasonable period of time, the provision of complementary paratransit service to ADA eligible individuals who establish a pattern or practice of missing scheduled trips.

(1) Trips missed by the individual for reasons beyond his or her control (including, but not limited to, trips which are missed due to operator error) shall not be a basis for determining that such a pattern or practice exists.

(2) Before suspending service, the entity shall take the following steps:

(i) Notify the individual in writing that the entity proposes to suspend service, citing with specificity the basis of the proposed suspension and setting forth the proposed sanction.

(ii) Provide the individual an opportunity to be heard and to present information and arguments;

(iii) Provide the individual with written notification of the decision and the reasons for it.

(3) The appeals process of paragraph (g) of this section is available to an individual on whom sanctions have been imposed under this paragraph. The sanction is stayed pending the outcome of the appeal.

(i) In applications for ADA paratransit eligibility, the entity may require the applicant to indicate whether or not he or she travels with a personal care attendant.

§ 37.127 Complementary paratransit service for visitors.

(a) Each public entity required to provide complementary paratransit service under § 37.121 of this part shall make the service available to visitors as provided in this section.

(b) For purposes of this section, a visitor is an individual with disabilities who does not reside in the jurisdiction(s) served by the public entity or other entities with which the

public entity provides coordinated complementary paratransit service within a region.

(c) Each public entity shall treat as eligible for its complementary paratransit service all visitors who present documentation that they are ADA paratransit eligible, under the criteria of § 37.125 of this part, in the jurisdiction in which they reside.

(d) With respect to visitors with disabilities who do not present such documentation, the public entity may require the documentation of the individual's place of residence and, if the individual's disability is not apparent, of his or her disability. The entity shall provide paratransit service to individuals with disabilities who qualify as visitors under paragraph (b) of this section. The entity shall accept a certification by such individuals that they are unable to use fixed route transit.

(e) A public entity is not required to provide service to a visitor for more than 21 days from the date of the first paratransit trip used by the visitor. The entity may require that such an individual, in order to receive service beyond this period, apply for eligibility under the process provided for in § 37.125 of this part.

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Appendix D to Part 37—Construction and Interpretation of Provisions of 49 CFR part 37

This appendix explains the Department's construction and interpretation of provisions of 49 CFR part 37. It is intended to be used as definitive guidance concerning the meaning and implementation of these provisions. The Appendix is organized on a section-by-section basis. Some sections of the rule are not discussed in the Appendix, because they are self-explanatory or we do not currently have interpretive material to provide concerning them.

The Department also provides guidance by other means, such as manuals and letters. The Department intends to update this Appendix periodically to include guidance, provided in response to inquiries about specific situations, that is of general relevance or interest.

Section 37.123 ADA Paratransit Eligibility—Standards

General Provisions

This section sets forth the minimum requirements for eligibility for

complementary paratransit service. All fixed route operators providing complementary paratransit must make service available at least to individuals meeting these standards. The ADA does not prohibit providing paratransit service to anyone. Entities may provide service to additional persons as well. Since only service to ADA eligible persons is required by the rule, however, only the costs of this service can be counted in the context of a request for an undue financial burden waiver.

When the rule says that ADA paratransit eligibility shall be strictly limited to persons in the eligible categories, then, it is not saying that entities are in any way precluded from serving other people. It is saying that the persons who must be provided service, and counting the costs of providing them service, in context of an undue burden waiver, are limited to the regulatory categories.

Temporary Disabilities

Eligibility may be based on a temporary as well as a permanent disability. The individual must meet one of the three eligibility criteria in any case, but can do so for a limited period of time. For example, if an individual breaks both legs and is in two casts for several weeks, becomes a wheelchair user for the duration, and the bus route that would normally take him to work is not accessible, the individual could be eligible under the second eligibility category. In granting eligibility to such a person, the entity should establish an expiration date for eligibility consistent with the expected end of the period disability.

Trip-by-Trip Eligibility

A person may be ADA paratransit eligible for some trips but not others. Eligibility does not inhere in the individual or his or her disability, as such, but in meeting the functional criteria of inability to use the fixed route system established by the ADA. This inability is likely to change with differing circumstances.

For example, someone whose impairment-related condition is a severe sensitivity to temperatures below 20 degrees is not prevented from using fixed route transit when the temperature is 75 degrees. Someone whose impairment-related condition is an inability to maneuver a wheelchair through snow is not prevented from using fixed route transit when there is no snow on the ground. Someone with a cognitive disability may have learned to take the same bus route to a supported employment job every day. This individual is able to navigate the system for work purposes and therefore would not be eligible for paratransit for work trips. But the individual may be unable to get to other destinations on the bus system without getting lost, and would be eligible for paratransit for non-work trips. Someone who normally drives his own car to a rail system park and ride lot may have a specific impairment related condition preventing him from getting to the station when his car is in the shop. A person who can use accessible fixed route service can go to one destination on an accessible route; another destination would require the use of an inaccessible route. The individual would be eligible for the latter but not the former.

In many cases, though the person is eligible for some trips but not others, eligibility determinations would not have to be made literally on a trip-by-trip basis. It may often be possible to establish the conditions on eligibility as part of the initial eligibility determination process. Someone with a temperature sensitivity might be granted seasonal eligibility. Somebody who is able to navigate the system for work but not non-work trips could have this fact noted in his or her eligibility documentation. Likewise, someone with a variable condition (e.g., multiple sclerosis, HIV disease, need for kidney dialysis) could have their eligibility based on the underlying condition, with paratransit need for a particular trip dependent on self-assessment or a set of medical standards (e.g., trip within a certain amount of time after a dialysis session). On the other hand, persons in the second eligibility category (people who can use accessible fixed route service where it exists) would to be given service on the basis of the particular route they would use for a given trip.

Because entities are not precluded from providing service beyond that required by the rule, an entity that believes it is too difficult to administer a program of trip-by-trip eligibility is not required to do so. Nothing prevents an entity from providing all requested trips to a person whom the ADA requires to receive service for only some trips. In this case, if the entity intends to request an undue financial burden waiver, the entity, as provided in the undue burden provisions of this rule, must estimate, by a statistically valid technique, the percentage of its paratransit trips that are mandated by the ADA. Only that percentage of its total costs will be counted in considering the undue burden waiver request.

Category 1 Eligibility

The first eligibility category includes, among others, persons with mental or visual impairments who, as a result, cannot "navigate the system." This eligibility category includes people who cannot board, ride, or disembark from an accessible vehicles "without the assistance of another individual." This means that, if an individual needs an attendant to board, ride, or disembark from an accessible fixed route vehicles (including "navigating the system"), the individual is eligible for paratransit. One implication of this language is that an individual does not lose paratransit eligibility based on "inability to navigate the system" because the individual chooses to travel with a friend on the paratransit system (even if the friend could help the person navigate the fixed route system). Eligibility in this category is based on ability to board, ride, and disembark independently.

Mobility training (e.g., of persons with mental or visual impairments) may help to improve the ability of persons to navigate the system or to get to a bus stop. Someone who is successfully mobility trained to use the fixed route system for all or some trips need not be provided paratransit service for those trips. The Department encourages entities to sponsor such training as a means of assisting individuals to use fixed route rather than paratransit.

Category 2 Eligibility

The second eligibility criterion is the broadest, with respect to persons with mobility impairments, but its impact should be reduced over time as transit systems become more accessible. This category applies to persons who could use accessible fixed route transportation, but accessible transportation is not being used at the time, and on the route, the persons would travel. This concept is route based, not system based.

Speaking first of bus systems, if a person is traveling from Point A to Point B on route 1, and route 1 is accessible, the person is not eligible for paratransit for the trip. This is true even though other portions of the system are still inaccessible. If the person is traveling from Point A to Point C on route 2, which is not accessible, the person is eligible for that trip. If the person is traveling from point A to Point B on accessible route 1, with a transfer at B to go on inaccessible route 3 to Point D, then the person is eligible for the second leg of the trip. (The entity could choose to provide a paratransit trip from A to D or a paratransit or on-call bus trip from B to D.)

For purposes of this standard, we view a route as accessible when all buses scheduled on the route are accessible. Otherwise, it is unlikely that an accessible vehicle could be provided "within a reasonable period of [a] time" when the individual wants to travel, as the provision requires. We recognize that some systems' operations may not be organized in a way that permits determining whether a given route is accessible, even though a route-by-route determination appears to be contemplated by the statute. In such cases, it may be that category 2 eligibility would persist until the entire system was eligible.

With respect to a rail system, an individual is eligible under this standard if, on the route or line he or she wants to use, there is not yet one car per train accessible or if key stations are not yet accessible. This eligibility remains even if bus systems covering the area served by the rail system have become 100 percent accessible. This is necessary because people use rail systems for different kinds of trips than bus systems. It would often take much more in the way of time, trouble, and transfers for a person to go on the buses of one or more transit authorities than to have a direct trip provided by the rail operator. Since bus route systems are often designed to feed rail systems rather than duplicate them, it may often be true that "you can't get there from here" relying entirely on bus routes or the paratransit service area that parallels them.

If the lift on a vehicle cannot be deployed at a particular stop, an individual is eligible for paratransit under this category with respect to the service to the inaccessible stop. If on otherwise accessible route 1, an individual wants to travel from Point A to Point E, and the lift cannot be deployed at E, the individual is eligible for paratransit for the trip. (On-call bus would not work as a mode of providing this trip, since a bus lift will not deploy at the stop.) This is true even though service from Point A to all other points on the line is fully accessible. In this

circumstance, the entity should probably think seriously about working with the local government involved to have the stop moved or made accessible.

When we say that a lift cannot be deployed, we mean literally that the mechanism will not work at the location to permit a wheelchair user or other person with a disability to disembark or that the lift will be damaged if it is used there. It is not consistent with the rule for a transit provider to declare a stop off-limits to someone who uses the lift while allowing other passengers to use the stop. However, if temporary conditions not under the operator's control (e.g., construction, an accident, a landslide) make it so hazardous for anyone to disembark that the stop is temporarily out of service for all passengers may the operator refuse to allow a passenger to disembark using the lift.

Category 3 Eligibility

The third eligibility criterion concerns individuals who have a specific impairment-related condition which prevents them from getting to or from a stop or station. As noted in the legislative history of the ADA, this is intended to be a "very narrow exception" to the general rule that difficulty in traveling to or from boarding or disembarking locations is not a basis for eligibility.

What is a specific impairment-related condition? The legislative history mentions four examples: Chronic fatigue, blindness, a lack of cognitive ability to remember and follow directions, or a special sensitivity to temperature. Impaired mobility, severe communications disabilities (e.g., a combination of serious vision and hearing impairments), cardiopulmonary conditions, or various other serious health problems may have similar effects. The Department does not believe that it is appropriate, or even possible, to create an exhaustive list.

What the rule uses as an eligibility criterion is not just the existence of a specific impairment-related condition. To be a basis for eligibility, the condition must prevent the individual from traveling to a boarding location or from a disembarking location. The word "prevent" is very important. For anyone, going to a bus stop and waiting for a bus is more difficult and less comfortable than waiting for a vehicle at one's home. This is likely to be all the more true for an individual with a disability. But for many persons with disabilities, in many circumstances, getting to a bus stop is possible. If an impairment related condition only makes the job of accessing transit more difficult than it might otherwise be, but does not prevent the travel, then the person is not eligible.

For example, in many areas, there are not yet curb cuts. A wheelchair user can often get around this problem by taking a less direct route to a destination than an ambulatory person would take. That involves more time, trouble, and effort than for someone without a mobility impairment. But the person can still get to the bus stop. On the basis of these architectural barriers, the person would not be eligible.

Entities are cautioned that, particularly in cases involving lack of curb cuts and other architectural barrier problems, assertions of

eligibility should be given tight scrutiny. Only if it is apparent from the facts of a particular case that an individual cannot find a reasonable alternative path to a location should eligibility be granted.

If we add a foot of snow to the scenario, then the same person taking the same route may be unable to get to the bus stop. If it is not the snow alone that stops him; it is the interaction of the snow and the fact that the individual has a specific-impairment related condition that requires him to push a wheelchair through the snow that prevents the travel.

Inevitably, some judgment is required to distinguish between situations in which travel is prevented and situations in which it is merely made more difficult. In the Department's view, a case of "prevented travel" can be made not only where travel is literally impossible (e.g., someone cannot find the bus stop, someone cannot push a wheelchair through the foot of snow or up a steep hill) but also where the difficulties are so substantial that a reasonable person with the impairment-related condition in question would be deterred from making the trip.

The regulation makes the interaction between an impairment-related condition and the environmental barrier (whether distance, weather, terrain, or architectural barriers) the key to eligibility determinations. This is an individual determination. Depending on the specifics of their impairment-related condition, one individual may be able to get from his home to a bus stop under a given set of conditions, while his next-door neighbor may not.

Companions

The ADA requires entities to provide paratransit to one person accompanying the eligible individual, with others served on a space-available basis. The one individual who is guaranteed space on the vehicle can be anyone—family member, business associate, friend, date, etc. The provider cannot limit the eligible individual's choice of type of companion. The transit authority may require that the eligible individual reserve a space for the companion when the individual reserves his or her own ride. This one individual rides even if this means that there is less room for other eligible individuals. Additional individuals beyond the first companion are carried only on a space available basis; that is, they do not displace other ADA paratransit eligible individuals.

A personal care attendant (i.e., someone designated or employed specifically to help the eligible individual meet his or her personal needs) always may ride with the eligible individual. If there is a personal care attendant on the trip, the eligible individual may still bring a companion, plus additional companions on a space available basis. The entity may require that, in reserving the trip, the eligible individual reserve the space for the attendant.

To prevent potential abuse of this provision, the rule provides that a companion (e.g., friend or family member) does not count as a personal care attendant unless the eligible individual regularly makes use of a personal care attendant and the companion is actually acting in that capacity. As noted under § 37.125, a provider may require that,

as part of the initial eligibility certification process, an individual indicate whether he or she travels with a personal care attendant. If someone does not indicate the use of an attendant, then any individual accompanying him or her would be regarded simply as a companion.

To be viewed as "accompanying" the eligible individual, a companion must have the same origin and destination points as the eligible individual. In appropriate circumstances, entities may also wish to provide service to a companion who has either an origin or destination, but not both, with the eligible individual (e.g., the individual's date is dropped off at her own residence on the return trip from a concert).

Section 37.125 ADA Paratransit Eligibility—Process

This section requires an eligibility process to be established by each operator of complementary paratransit. The details of the process are to be devised through the planning and public participation process of this subpart. The process may not impose unreasonable administrative burdens on applicants, and, since it is part of the entity's nondiscrimination obligations, may not involve "user fees" or application fees to the applicant.

The process may include functional criteria related to the substantive eligibility criteria of § 37.123 and, where appropriate, functional evaluation or testing of applicants. The substantive eligibility process is not aimed at making a medical or diagnostic determination. While evaluation by a physician (or professionals in rehabilitation or other relevant fields) may be used as part of the process, a diagnosis of a disability is not dispositive. What is needed is a determination of whether, as a practical matter, the individual can use fixed route transit in his or her own circumstances. That is a transportation decision primarily, not a medical decision.

The goal of the process is to ensure that only people who meet the regulatory criteria, strictly applied, are regarded as ADA paratransit eligible. The Department recognizes that transit entities may wish to provide service to other persons, which is not prohibited by this rule. However, the eligibility process should clearly distinguish those persons who are ADA eligible from those who are provided service on other grounds. For example, eligibility documentation must clearly state whether someone is ADA paratransit eligible or eligible on some other basis.

Often, people tend to think of paratransit exclusively in terms of people with mobility impairments. Under the ADA, this is not accurate. Persons with visual impairments may be eligible under either the first or third eligibility categories. To accommodate them, all documents concerning eligibility must be made available in one or more accessible formats, on request. Accessible formats include computer disks, braille documents, audio cassettes, and large print documents. A document does not necessarily need to be made available in the format a requester prefers, but it does have to be made available

in a format the person can use. There is no use giving a computer disk to someone who does not have a computer, for instance, or a braille document to a person who does not read braille.

When a person applies for eligibility, the entity will provide all the needed forms and instructions. These forms and instructions may include a declaration of whether the individual travels with a personal care attendant. The entity may make further inquiries concerning such a declaration (e.g., with respect to the individual's actual need for a personal care attendant).

When the application process is complete—all necessary actions by the applicant taken—the entity should process the application in 21 days. If it is unable to do so, it must begin to provide service to the applicant on the 22nd day, as if the application had been granted. Service may be terminated only if and when the entity denies the application. All determinations shall be in writing; in the case of a denial, reasons must be specified. The reasons must specifically relate the evidence in the matter to the eligibility criteria of this rule and of the entity's process. A mere recital that the applicant can use fixed route transit is not sufficient.

For people granted eligibility, the documentation of eligibility shall include at least the following information:

- The individual's name
- The name of the transit provider
- The telephone number of the entity's paratransit coordinator
- An expiration date for eligibility
- Any conditions or limitations on the individual's eligibility, including the use of a personal care attendant.

The last point refers to the situation in which a person is eligible for some trips but not others. Or if the traveler is authorized to have a personal care attendant ride free of charge. For example, the documentation may say that the individual is eligible only when the temperature falls below a certain point, or when the individual is going to a destination not on an accessible bus route, or for non-work trips, etc.

As the mention of an expiration date implies, certification is not forever. The entity may recertify eligibility at reasonable intervals to make sure that changed circumstances have not invalidated or changed the individual's eligibility. In the Department's view, a reasonable interval for recertification is probably between one and three years. Less than one year would probably be too burdensome for consumers; over three years would begin to lose the point of doing recertifications. The recertification interval should be stated in the entity's plan. Of course, a user of the service can apply to modify conditions on his or her eligibility at any time.

The administrative appeal process is intended to give applicants who have been denied eligibility the opportunity to have their cases heard by some official other than the one who turned them down in the first place. In order to have appropriate separation of functions—a key element of administrative due process—not only must the same person not decide the case on

appeal, but that person, to the extent practicable, should not have been involved in the first decision (e.g., as a member of the same office, or a supervisor or subordinate of the original decisionmaker). When, as in the case of a small transit operator, this degree of separation is not feasible, the second decisionmaker should at least be "bubbled" with respect to the original decision (i.e., not have participated in the original decision or discussed it with the original decisionmaker). In addition, there must be an opportunity to be heard in person as well as the chance to present written evidence and arguments. All appeals decisions must be in writing, stating the reasons for the decision.

To prevent the filing of stale claims, the entity may establish a 60 day "statute of limitations" on filing of appeals, the time starting to run on the date the individual is notified on the negative initial decision. After the appeals process has been completed (i.e., the hearing and/or written submission completed), the entity should make a decision within 30 days. If it does not, the individual must be provided service beginning the 31st day, until and unless an adverse decision is rendered on his or her appeal.

Under the eligibility criteria of the rule, an individual has a right to paratransit if he or she meets the eligibility criteria. As noted in the discussion of the nondiscrimination section, an entity may refuse service to individual with a disability who engages in violent, seriously disruptive, or illegal conduct, using the same standards for exclusion that would apply to any other person who acted in such an inappropriate way.

The rule also allows an entity to establish a process to suspend, for a reasonable period of time, the provision of paratransit service to an ADA eligible person who establishes a pattern or practice of missing scheduled trips. The purpose of this process would be to deter or deal with chronic "no-shows." The sanction system—articulated criteria for the imposition of sanctions, length of suspension periods, details of the administrative process, etc.—would be developed through the public planning and participation process for the entity's paratransit plan, and the result reflected in the plan submission to UMTA.

It is very important to note that sanctions could be imposed only for a "pattern or practice" of missed trips. A pattern or practice involves intentional, repeated or regular actions, not isolated, accidental, or singular incidents. Moreover, only actions within the control of the individual count as part of a pattern or practice. Missed trips due to operator error are not attributable to the individual passenger for this purpose. If the vehicle arrives substantially after the scheduled pickup time, and the passenger has given up on the vehicle and taken a taxi or gone down the street to talk to a neighbor, that is not a missed trip attributable to the passenger. If the vehicle does not arrive at all, or is sent to the wrong address, or to the wrong entrance to a building, that is not a missed trip attributable to the passenger. There may be other circumstances beyond the individual's control (e.g., a sudden turn for the worse in someone with a variable condition, a sudden family emergency) that

make it impracticable for the individual to travel at the scheduled time and also for the individual to notify the entity in time to cancel the trip before the vehicle comes. Such circumstances also would not form part of a sanctionable pattern or practice.

Once an entity has certified someone as eligible, the individual's eligibility takes on the coloration of a property right. (This is not merely a theoretical statement. If one depends on transportation one has been found eligible for to get to a job, and the eligibility is removed, one may lose the job. The same can be said for access to medical care or other important services.) Consequently, before eligibility may be removed "for cause" under this provision, the entity must provide administrative due process to the individual.

If the entity proposes to impose sanctions on someone, it must first notify the individual in writing (using accessible formats where necessary). The notice must specify the basis of the proposed action (e.g., Mr. Smith scheduled trips for 8 a.m. on May 15, 2 p.m. on June 3, 9 a.m. on June 21, and 9:20 p.m. on July 10, and on each occasion the vehicle appeared at the scheduled time and Mr. Smith was nowhere to be found) and set forth the proposed sanction (e.g., Mr. Smith would not receive service for 15 days).

The entity would provide the individual an opportunity to be heard (i.e., an in-person informal hearing before a decisionmaker) as well as to present written and oral information and arguments. All relevant entity records and personnel would be made available to the individual, and other persons could testify. It is likely that, in many cases, an important factual issue would be whether a missed trip was the responsibility of the provider or the passenger, and the testimony of other persons and the provider's records or personnel are likely to be relevant in deciding this issue. While the hearing is intended to be informal, the individual could bring a representative (e.g., someone from an advocacy organization, an attorney).

The individual may waive the hearing and proceed on the basis of written presentations. If the individual does not respond to the notice within a reasonable time, the entity may make, in effect, a default finding and impose sanctions. If there is a hearing, and the individual needs paratransit service to attend the hearing, the entity must provide it. We would emphasize that, prior to a finding against the individual after this due process procedure, the individual must continue to receive service. The entity cannot suspend service while the matter is pending.

The entity must notify the individual in writing about the decision, the reasons for it, and the sanctions imposed, if any. Again, this information would be made available in accessible formats. In the case of a decision adverse to the individual, the administrative appeals process of this section would apply. The sanction would be stayed pending an appeal.

There are means other than sanctions, however, by which a transit provider can deal with a "no-show" problem in its system. Providers who use "real time scheduling" report that this technique is very effective in

reducing no-shows and cancellations, and increasing the mix of real time scheduling in a system can probably be of benefit in this area. Calling the customer to reconfirm a reasonable time before pickup can head off some problems, as can educating consumers to call with cancellations ahead of time. Training of dispatch and operator personnel can help to avoid miscommunications that lead to missed trips.

Section 37.127 Complementary Paratransit for Visitors"

This section requires each entity having a complementary paratransit system to provide service to visitors from out of town on the same basis as it is provided to local residents. By "on the same basis," we mean under all the same conditions, service criteria, etc., without distinction. For the period of a visit, the visitor is treated exactly like an eligible local user, without any higher priority being given to either.

A visitor is defined as someone who does not reside in the jurisdiction or jurisdictions served by the public entity or other public entities with which it coordinates paratransit service. For example, suppose a five-county metropolitan area provides coordinated paratransit service under a joint plan. A resident of any of the five counties would not be regarded as a visitor in any of them. Note that the rule talks in terms of "jurisdiction" rather than "service area." If an individual lives in XYZ County, but outside the fixed route service area of that county's transit provider, the individual is still not a visitor for purposes of paratransit in PQR County, if PQR is one of the counties with which XYZ provides coordinated paratransit service.

A visitor can become eligible in one of two ways. The first is to present documentation from his or her "home" jurisdiction's paratransit system. The local provider will give "full faith and credit" to the ID card or other documentation from the other entity. If the individual has no such documentation, the local provider may require the provision of proof of visitor status (i.e., proof of

residence somewhere else) and, if the individual's disability is not apparent, proof of the disability (e.g., a letter from a doctor or rehabilitation professional). Once this documentation is presented and is satisfactory, the local provider will make service available on the basis of the individual's statement that he or she is unable to use the fixed route transit system.

The local provider need serve someone based on visitor eligibility for no more than 21 days. After that, the individual is treated the same as a local person for eligibility purposes. This is true whether the 21 days are consecutive or parceled out over several shorter visits. The local provider may require the erstwhile visitor to apply for eligibility in the usual local manner. A visitor who expects to be around longer than 21 days should apply for regular eligibility as soon as he arrives. The same approach may be used for a service of requested visits totaling 21 days or more in a relating compact period of time. Preferably, this application process should be arranged before the visitor arrives, by letter, telephone or fax, so that a complete application can be processed expeditiously.

Appendix B

ADA Paratransit Eligibility Policy Checklist



ADA Paratransit Eligibility Policy Checklist

Following is a list of required and recommended elements of an ADA paratransit eligibility policy. Those in bold are required by the regulations and must be included in the policy.

- ___ Is the definition of ADA paratransit eligibility included in the policy consistent with the regulatory definition of eligibility?
- ___ Does the definition of eligibility allow for one companion and a personal care attendant in all cases and additional companions on a space available basis?
- ___ Does the definition of eligibility address the policy for visitors, note that service will be provided to those who have been determined eligible by another public entity as well as those who claim to be eligible?
- ___ Does the visitor portion of the policy indicate the period of time, from the date of the first trip, over which 21 days of service will be provided?
- ___ Does the visitor portion of the policy indicate what documentation of residence and disability will be accepted and when this will be required?
- ___ Is the eligibility process and application material used detailed enough to identify not only who is eligible but under what conditions and circumstances they are eligible?
- ___ Have arrangements been made to produce information about the process, materials needed to apply, notifications of eligibility, and other materials in accessible formats upon request?
- ___ Does the policy provide for other assistance, such as a phone number to call or staff to provide individual assistance, that individuals may need to understand the process and complete application forms?
- ___ Does the policy describe marketing and public information efforts to inform riders, potential riders, and other individuals and organizations about ADA paratransit eligibility?
- ___ Does the policy describe the process that is used to make initial determinations?
- ___ Does the policy indicate who will make initial determinations?

ADA Paratransit Eligibility Policy Checklist, Page 2

- ___ Does the policy indicate that applicants will be notified in writing, and other accessible formats as required, of the initial decision regarding their eligibility?

- ___ Does the policy note that applicants determined ineligible or conditionally eligible will be given the specific reasons for the finding when they receive their notification of the initial determination and that these reasons will specifically relate to the ADA paratransit eligibility criteria?

- ___ Does the policy state that individuals will be provided service on a presumption of eligibility if an initial determination is not made within 21 days of the receipt of a completed application?

- ___ Does the policy indicate the form of documentation that will be provided to individuals determined ADA Paratransit Eligible and include each of the following items in this documentation?
 - the name of the eligible individual
 - the name of the transit provider providing the certification
 - the telephone number of the transit provider's paratransit coordinator
 - an expiration date for eligibility (if applicable)
 - any conditions or limitations on the individual's eligibility
 - the need for a personal care attendant

- ___ Does the policy note that individuals determined ineligible or conditionally eligible will be notified of the process to appeal the decision?

- ___ Is the appeal process and the person or persons who will hear and decide appeals described and is there a "separation of function" between those hearing appeals and those involved in initial determinations?

- ___ Does the appeal process note that appeals will be accepted within 60 days of the initial eligibility decision?

- ___ Does the appeal process offer the individual an opportunity to be heard in person to present additional information and arguments?

- ___ Does the policy include details for providing accommodations that the person may need at the appeal hearing and note how the need for accommodations will be determined?

- ___ Does the policy indicate that appeal decisions will be made in writing, and in accessible formats as appropriate, and will detail any reasons for a continued finding of ineligibility or conditional eligibility?

ADA Paratransit Eligibility Policy Checklist, Page 3

- Is it noted that applicants will be provided paratransit service on a presumption of eligibility if a decision on their appeal is not made within 30 days of the completion of the appeal process?
- Does the policy indicate the period of time for which ADA paratransit eligibility will be granted and specify recertification requirements for those found eligible?
- Does the policy address requirements for existing riders to be recertified?
- Does the policy indicate under what circumstances service may be refused, suspended, or conditioned?
- If included, does the no-show suspension policy include the number/frequency of no-shows that will be considered a "pattern or practice" and the period of suspension?
- If included, does the no-show suspension policy provide for notification of the proposed suspension, an opportunity for an informal hearing, and an opportunity for a formal appeal?
- Have all aspects of the ADA paratransit eligibility policy been developed with full public participation as required in §37.137 of the regulations?

Appendix C

**Listing of Selected Transit Providers Contacted
for Information in the Preparation of this Manual**

**Selected Transit Providers Contacted
for Information in the Preparation of this Manual**

Name of Transit Provider	Contact Person Phone #
Ann Arbor Transportation Authority Ann Arbor, MI	Mr. Christopher White (313) 677-3922
Ben Franklin Transit Richland, WA	Mr. Ed Frost (509) 735-4131
City of Charlotte Charlotte, NC	Mr. Terry Lathrop (704) 336-2261
Delaware Administration for Specialized Transportation (DAST) Dover, DE	Ms. Robin Boshell (302) 739-3278
City of Durango Durango, CO	Ms. Jan Choti (303) 385-2880
Greater Bridgeport Transit District Bridgeport, CT	Ms. Kimberlee Kelly (203) 366-7070
City of Greeley Greeley, CO	Mr. John Lee (303) 350-9280
Lane Transit District Eugene, OR	Ms. Micki Kaplan (503) 741-6100
Los Angeles County Metropolitan Transportation Authority Los Angeles, CA	Mr. Richard DeRock (213) 244-6524
Madison Metro Transit System Madison, WI	Mr. Paul Larrousse (608) 267-8777
Mass Transit Administration (MTA) Baltimore, MD	Ms. Lisa Darnall (410) 333-3328
Municipality of Metropolitan Seattle (METRO) Seattle, WA	Ms. Nancy Poultney (206) 689-3107
New York City Transit Authority New York, NY	Ms. Margaret Coffey (718) 694-3414
OMNITRANS San Bernardino, CA	Mr. Daniel Brogan (909) 889-0811

ADA Paratransit Eligibility Manual

Name of Transit Provider	Contact Person Phone #
Oshkosh Transit System Oshkosh, WI	Mr. Mark Huddleston (414) 236-5280
Port Authority of Allegheny County (PAT) Pittsburgh, PA	Ms. Cathy Williams (412) 237-7335
Regional Transportation Authority Chicago, IL	Ms. Shirley Fraser (312) 917-1426
Riverside Transit Agency Riverside, CA	Ms. Susan Hafner (909) 684-0850
San Mateo County Transit District (SAMTRANS) San Carlos, CA	Ms. Dianna Lake (415) 508-6241
Southeastern Pennsylvania Transportation Authority (SEPTA) Philadelphia, PA	Mr. Jon Roth (215) 580-7711
Transit Authority of River City (TARC) Louisville, KY	Ms. Tina Morris (502) 561-5100
Utah Transit Authority Salt Lake City, UT	Ms. Kathy McCune (801) 262-5626
Washington Metropolitan Area Transportation Authority (WMATA) Washington, DC	Mr. Avon Makel (202) 962-1100
Waukesha Transit System Waukesha, WI	Mr. Robert Johnson (414) 524-3594
Worcester Regional Transit Authority Worcester, MA	Ms. Gail Heald (508) 756-7717

Appendix D

Sample Marketing and Public Information Materials

Materials included:

- "Paratransit Services on the Move with ADA" developed by Seattle Metro.
- "Eligibility Appeals Process" developed by Seattle Metro.
- "Special Services Certification" developed by the Regional Transportation Authority of Chicago.
- "The Americans with Disabilities Act: What is the ADA and how does it affect me?" prepared by the Riverside Transit Agency.
- Notice of public forum to discuss ADA issues developed by the Worcester Regional Transit Authority.



Metro's Current Programs For People With Disabilities

Copies of this brochure are available in large print, in Braille or on audiotape by calling 689-3113 (voice) or 689-3116 (TDD).

Neighborhood House, Transia and South King County VanGo.

- Taxi Scrip is discounted taxi fare scrip; users may buy up to four \$5 books per month. Each \$5 book is worth \$10 in taxi fares.

For more information on Metro's Regional Reduced Fare Permits, Reserve-A-Ride or Taxi Scrip programs, call 553-3060.

■ Regional Reduced Fare Permit

A card that allows people who have a disability or who are 65 or older to pay a lower fare on 8 bus systems throughout the Puget Sound Region.

■ Special Transportation Service Program (STSP)

A sticker that allows low-income people with Regional Reduced Fare Permits to use Reserve-A-Ride and Taxi Scrip:

- Reserve-A-Ride is a door-to-door van service provided for Metro by North/East King County VanGo, Seattle Personal Transit,



PARATRANSIT SERVICES

ON



THE



MOVE



WITH



Americans with Disabilities Act



20M 11/92

■ All Aboard

Everyone should be able to use public transportation to get where they need to go. Since 1979, Metro has provided accessible bus service for people with disabilities, plus door-to-door van services for those unable to use the bus.

Beginning in late 1993, Metro's new ADA (Americans with Disabilities Act) Paratransit Services will make it easier for people with disabilities to use public transportation, no matter what their income level.

Here is information on important changes that affect people with disabilities — including instructions for getting the identification card you will need to participate in the new ADA Paratransit Services.

■ Good News For People With Disabilities

■ New ADA Paratransit Services

If you have a disability which prevents you from using Metro's regular bus service, you may be eligible for the new ADA Paratransit Services.

The service will begin in late 1993. It features brand new specially-equipped vans that take you to and from any location in King County, and will be available Monday through Saturday, 5:00 a.m. to 10:00 p.m.

■ Qualifying for ADA Paratransit Services

There are three levels of eligibility for the new ADA Paratransit Services:

- Regular - if your disability prevents you from using the bus at all times.

- Conditional - if your disability prevents you from using the bus only under certain conditions, such as snow.

- Temporary - if your disability prevents you from using the bus for a limited period of time.

■ **All ADA Paratransit Services users will need a special identification card. Even users of Metro's current Special Transportation Service Program, such as the Reserve-A-Ride and Taxi Scrip programs, will need to fill out an application. There is no low-income requirement.**

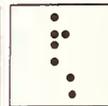
Although ADA Paratransit Services do not begin until later in 1993, it's a good idea to apply for the identification card now. Simply fill out an application form and mail it to Metro. If you need an application, call Metro at 689-3113 (voice) or 689-3116 (TTD).

■ Uninterrupted Service

By applying now, you will be ready when Metro begins the new ADA Paratransit Services. Until then, there will be no change in the Reserve-A-Ride or Taxi Scrip programs.

■ Plus - More Accessible Buses and Routes

By 1995, all Metro buses and routes will be accessible for people with disabilities. Today 80% of Metro's 1200 buses are equipped with wheelchair lifts, and 75% of





ADA PARATRANSIT SERVICE

ELIGIBILITY APPEALS PROCESS



ON THE MOVE WITH



Americans with Disabilities Act

Metro has received your application for ADA Paratransit Service. Based on the information you have provided, we have determined that you are either **NOT ELIGIBLE**, or **CONDITIONALLY ELIGIBLE**.

If you disagree with this decision, you have the right to appeal.

Here's what you need to do:

- within sixty days after you get your eligibility determination letter, write a brief letter telling us why you disagree.
- send the letter to:

Paratransit Eligibility Appeals
METRO, MS 134
821 Second Avenue
Seattle, WA 98104-1598

- participate in an evaluation of your ability to use the bus. If you have already done this, you do not need to do it again.
- either attend an appeal meeting, OR send written information for that meeting.



■ The Appeal Meeting

By law, your appeal must be handled by an independent party. So, Evergreen Hospital will arrange for a qualified professional to serve as an appeal officer and make a final eligibility determination.

If you have not already had an evaluation of your ability to use the regular bus, Evergreen Hospital will arrange that, too.

And, if you need it, Evergreen Hospital will also arrange transportation for both the evaluation and the appeal meeting.

The appeal meeting will be held within 30 days after we get your letter. You do not need to attend the meeting. Instead, you may send information to the appeal officer. If you do decide to

attend, you may bring another person with you.

Aids and services related to your disability (such as Brailled material, voice amplification, sign language interpreter) will be provided if you request them at least a week before the meeting.

There will be **NO COST TO YOU** for any of these services.

You will be notified of the appeal officer's final eligibility determination within 30 days after Metro gets your appeal letter. Once this final determination has been made, the eligibility appeals process is completed.

If at any time in the future you feel your condition has changed, you may reapply for ADA Paratransit Service.

■ Questions?

For more information about eligibility for Metro's ADA Paratransit Service, please call 689-3113 (voice) or 689-3116 (TDD).

Copies of this brochure are available in large print, in Braille, or on audio tape.

**Accessible Services Section,
METRO, MS 134
821 Second Avenue
Seattle, WA 98104-1598**



FIRST-CLASS MAIL
U.S. POSTAGE
PAID
Chicago, IL 60607
Permit No. 8090

Regional Transportation Authority
181 West Madison, Suite 1900
Chicago, Illinois 60602



IMPORTANT INFORMATION



SPECIAL SERVICES CERTIFICATION



Regional
Transportation
Authority

MAKING TRANSIT WORK FOR EVERYONE.

MAY I HAVE THE ENVELOPE PLEASE?



The RTA is changing to meet the challenges of the Americans with Disabilities Act.

To bring our public transportation system to ADA compliance, the Regional Transportation Authority will certify users of CTA and Pace Special Services and ensure mainline access for everyone.

The first step of certification for users of Special Services will arrive in the form of a **RED ENVELOPE** through the mail, beginning this summer. You will be asked to fill out and return the questionnaire. Certification will be based on each person's *functional* ability to use public transportation.

WHERE TO TURN FOR HELP.

If you need assistance in filling out the application, or have any questions on the process, contact the RTA's Certification Hotline at 312-917-HELP or at our TTY number, 312-917-1338.

AND THE WINNER IS...

You, our riders. These changes will ultimately mean better service for everyone. We will continue to provide Special Services for those who need it. And for those who do have the functional ability, training will be provided on how to use buses and trains in our region.



We're changing to meet the challenges of ADA. The RTA. Making transit work for everyone.

Questions Most Often Asked...



Question: What is the new certification for Special Services?

Answer: The Americans with Disabilities Act (ADA) requires some changes to Special Services at CTA and Pace. One change is the way it is determined who can use Special Services. Everyone must go through the new certification. The ADA requires that the new certification be based on a person's *functional* ability to take transit.

Question: What is a "functional" certification?

Answer: A functional certification determines whether a person has the ability to use bus and rapid transit service. The new certification will NOT look at the type of disability you have. Instead, the new certification determines if you are able to do such things as travel to a bus stop or rapid transit station, board a vehicle, and pay a fare.

Question: Why is the ADA changing the way people are certified to ride Special Services?

Answer: The ADA wants you to have better access to the community. The new certification will encourage people to use bus and rapid transit if they can. The new certification will assure that Special Services rides are used only by persons who really *need* the service.

Question: Who can be certified for Special Services under the new ADA rules?

Answer: There are three ways you can be eligible for Special Services: 1) If you cannot use bus or rapid transit, even when it is accessible. 2) If you are able to use bus or rapid transit, but the equipment or station is not yet accessible. Or, 3) if your disability prevents you from getting to or from the bus stop or rapid transit station.

An example of the third way you can be eligible might be: You are normally able to ride buses and rapid transit, except that your disability prevents you from walking outside in very cold weather. In this case, you would be certified to ride Special Services during the winter months.

Question: If I am currently registered for Special Services, can I continue to ride Special Services under the new ADA rules?

Answer: No. You must apply for the new certification.

Question: When does the new certification happen?

Answer: If you are now registered for Special Services, you can continue to ride for about another year, until the summer of 1994. At that time, you will need the new certification to continue to ride.

...And The Answers You Need.

Question: How do I apply for the new certification?

Answer: If you are currently registered for Special Services, you will receive a red envelope in the mail, containing a new certification application, sometime in the next year. You will have plenty of time to fill it out. If you are a new rider, call the Certification Hotline at 312/917-HELP for more information.



Question: What if I need help filling out the new certification application?

Answer: Help is available at many locations in the Chicago area. Call the Certification Hotline at 312/917-HELP for the location nearest you. If you need the application in large print, in Braille, in Spanish, or on an audio tape, call us at 312/917-HELP.

Question: What if under the new ADA rules I am no longer certified to ride Special Services?

Answer: You will find that buses and rapid transit give you better access to the Chicago area, since you do not have to call in advance to plan your trip. Because of the new ADA rules, more and more buses, rapid transit cars, and stations will become accessible in the next few years. For those who will no longer be certified for Special Services, there will be training available to learn how to use buses and rapid transit.

For the most convenient service, consider making your trek on mainline.

*You don't have to call ahead... you'll never be turned away, and...
you can ride anytime - day or night - on CTA rail cars and buses,
Pace suburban buses, or Metra commuter rail.*

*If you are functionally able to ride the RTA system, and
would like route information, call the Travel Information
Center at 836-7000, city or suburbs.*

*To be trained on taking mainline,
call the ADA Certification Hotline
at 312-917-HELP.*

For 24-hour service and complete flexibility, make it on mainline.



THE AMERICANS WITH DISABILITIES ACT

ADA

What is the ADA and how does it affect me?



Answers to your questions on ADA and how it impacts public transit services.

Prepared by the
Riverside Transit Agency
(909) 682-1234
1 (800) 800-RTA1
TDD
1 (800) 800-7825

RTA
RIVERSIDE TRANSIT AGENCY

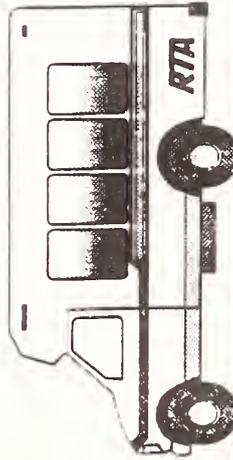
WHAT IS THE AMERICANS WITH DISABILITIES ACT (ADA)?

ADA is a Federal law that guarantees specially certified disabled Americans full and equal access to the same services and accommodations that are available to people without disabilities.

WHAT IS RTA REQUIRED TO DO UNDER ADA?

The Riverside Transit Agency (RTA) must make its regular bus system completely accessible for use by people with disabilities. This includes maintaining wheelchair lifts on buses and adding features for people with hearing and vision impairments. RTA currently operates a 100% wheelchair accessible service.

If a person is unable to use RTA's regular bus system because of his/her disability, RTA must provide ADA priority van service that is comparable to the fixed route service.



For information regarding ADA priority van service, call RTA at
1 (800) 800-RTA1
OR
TDD: 1 (800) 800-7825.

WHAT IS ADA PRIORITY VAN SERVICE?

ADA priority van service is comparable to the level of fixed route bus service provided by RTA. This means that ADA priority service is provided wherever the regular bus service operates and during the same days and hours. In addition, ADA priority van service meets the following requirements for those who are eligible:

- A person can call the day before a ride is needed to request a trip.
- Trips can be requested up to 14 days in advance.
- Subscription service is available, but restrictions may apply.
- Fares can be no more than twice the RTA fixed route base fare for the same trip.
- Trips can be requested for any purpose.
- An eligible person's access to van service cannot be limited by patterns of refusals, unusually long trips, late pick ups, or other such factors.

WHEN WILL ADA PRIORITY VAN SERVICE BEGIN?

ADA priority service will be phased in over the next 5 years.

Once certified, an individual may request ADA Priority Service.

The ADA certification process began in October 1992. RTA will meet all ADA requirements by January of 1997.



This pamphlet is designed to introduce you to the ADA and to explain the impact it will have on service provided by the Riverside Transit Agency (RTA). If you have any unanswered questions, or if you need ADA registration form, please call (909) 684-0850.

DO CURRENT DIAL-A-RIDE USERS WITH DISABILITIES HAVE TO REGISTER FOR ADA LEVEL SERVICE?

YES, but only if they require ADA level service. Others do not have to register to keep using Dial-A-Ride (see below).

ADA priority service will be available only to those who go through the ADA certification process. If an individual applies for ADA priority service and is refused, he/she can call the RTA office at 684-0850 for information on the appeal process.

WILL DIAL-A-RIDE SERVICE STILL BE AVAILABLE FOR SENIORS AND PERSONS WITH DISABILITIES WHO ARE NOT ADA ELIGIBLE?

YES! RTA will maintain existing levels of service for non-ADA eligible riders subject to funding availability. However, ADA eligible riders will receive priority over non-ADA eligible riders.

IF A PERSON CAN'T ARRANGE A VAN RIDE, HOW CAN HE/SHE ACCESS PUBLIC TRANSPORTATION?

Travel training is available for disabled individuals of all ages and elderly individuals without disabilities. This special training can give people the skills and experience to feel comfortable riding the regular bus system. Please call the RTA office at (909) 684-0850 for information on travel training.

WHO IS ELIGIBLE FOR ADA LEVEL VAN SERVICE?

The intent of ADA is to insure that persons with specific disabilities have equal access to public transportation.

RTA expects that many disabled individuals will be able to use the regular bus service. However, ADA priority van service will act as a "safety net" for individuals whose disabilities prevent them from using the buses. Examples of individuals who can use the priority van service under ADA are as follows:

- Certified Individuals who cannot use the RTA bus service because of their inability to get around on their own.
- A personal assistant accompanying an ADA eligible individual. Such an assistant is considered a mobility aid.
- One traveling companion accompanying the ADA eligible rider. Additional traveling companions are permitted only if space is available without displacing a disabled rider. Companions pay the same fare and must have the same pick up point and destination point as the ADA eligible rider.
- ADA eligible riders from anywhere in the United States may ride the service when they are visiting in the RTA area.

TPAG MEETING/FORUM

WHEN: TUESDAY, SEPTEMBER 14, 1993

TIME: 7:00 P.M.

**PLACE: WORCESTER REGIONAL TRANSIT AUTHORITY
ADVISORY BOARD ROOM
287 GROVE STREET
WORCESTER, MA**

**SUBJECT: AMERICANS with DISABILITIES ACT (ADA)
OVERVIEW**

Since the Americans with Disabilities Act (ADA) was passed, there have been a number of questions raised by both the elderly and disabled community. This Forum will help answer any questions regarding the act and how the act effects consumers with their transportation needs.

The forum will be set-up with a Moderator and a panel of (4) Speakers who will discuss the various aspects of ADA. After their presentations, there will be a Question & Answer period for anyone who may have additional questions.

This forum is being done in conjunction with the TPAG Meeting. The TPAG Meeting will take place at 7:00 p.m. and the Forum will begin at approximately 7:30 p.m.

As always, free transportation is available by calling the Worcester Area Van Express (WAVE) at 756 - 7149.

We look forward to seeing you at the Forum!

Appendix E

**Sample Eligibility Material Developed by:
San Mateo County Transit District (SAMTRANS)**

Materials included:

- **Cover Letter to Applicants**
- **Application Form**
- **Eligibility Review Guidelines**

SamTrans



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FRANK T. CANNIZZARO
MADALYN T. FITZPATRICK
ARTHUR L. LLOYD, Vice Chairman
TOM NOLAN
WILLIAM J. SCHUMACHER
WILLIAM J. STANGEL
ALBERT M. TEGLIA

GERALD T. HAUGH
General Manager

To Redi-Wheels Applicant:

Thank you for your interest in Redi-Wheels, SamTrans' paratransit service for people with disabilities. Redi-Wheels' service area includes most of San Mateo County with the exception of the coast and parts of Pacifica.

To enable us to determine your eligibility, please complete the enclosed application explaining how your disability prevents you from riding regular SamTrans fixed-route buses. You may complete the form yourself or have it filled out by a qualified professional familiar with your condition. If you fill the form out yourself, you must complete the bottom of Page 5 which provides permission for SamTrans to contact a qualified professional to verify your condition. A large-type application form is available on request.

Return the completed application to:

Redi-Wheels
P.O. Box 3006
San Carlos CA 94070-1306

If you qualify for Redi-Wheels transportation, you will be mailed your Redi-Wheels membership card and ride-reservation information within one week of the date your application is received. The membership card is valid for three years from the date of issue.

If you do not qualify for Redi-Wheels, a letter will be mailed to you explaining the reason and advising you of procedures to follow if you wish to appeal.

If for any reason, you are not contacted within 21 days of applying, you will be entitled to receive Redi-Wheels service at least until you receive a definite decision on your application.

If you have any questions about the Redi-Wheels program, or if you need help filling out the application, please call the Elderly and Disabled Program Assistant at 508-6241.

SAN MATEO COUNTY TRANSIT DISTRICT
1250 San Carlos Avenue - P.O. Box 3006
San Carlos, California 94070-1306 (415) 508-6200

Exp. Date: _____
Aide Type: _____
Attendant: _____

REDI-WHEELS APPLICATION

(Please print or type)

All questions must be answered

1. Name: _____

2. Street Address: _____

City _____ Zip _____

3. Home telephone: _____ 4. Date of birth: _____

Work telephone: _____

5. Emergency Contact person: _____

Phone number: _____

6. If this application is being filled out by someone other than the person requesting certification, please complete the following:

Name: _____

Relationship to Applicant: _____ Daytime Phone: _____

7. Describe your disability and explain in detail how it prevents you from using SamTrans' bus service some of the time or all of the time.

8. Is your condition . . .

___ Permanent? ___ Temporary? Expected duration: _____

9. Are there any other effects of your disability of which we need to be aware?

10. Do you use any of the following mobility aids? (Check all that apply)

- Manual Wheelchair Crutches Dog Guide
 Electric Wheelchair Cane Walker
 Three-Wheeled Scooter/Wheelchair Braces

11. Do you need someone to accompany you to travel outside the home, for example, a personal care attendant?

- Yes No Sometimes

12. PLEASE ANSWER ALL OF THE FOLLOWING QUESTIONS.

a. Are you able to board and disembark from a standard transit bus with a wheelchair lift?

- Yes No. Please explain: _____

b. Are you able to travel to the nearest bus stop?

- Yes No. Please explain: _____

c. Are you able to wait at the bus stop?

- Yes No. Please explain: _____

d. Are you able to identify the correct bus?

Yes No. Please explain: _____

e. Are you able to handle/grasp coins (pay fare), tickets, railings, handles?

Yes No. Please explain: _____

f. Are you able to keep balance while seated on a moving vehicle?

Yes No. Please explain: _____

g. Are you able to read, hear, understand and/or process information, schedules, or directions which are needed to make necessary decisions during a trip?

Yes No. Please explain: _____

13. If you can use a lift-equipped bus, are you unable to ride because . . .

One or more routes you want to ride do not have lift-equipped buses?

The lift cannot be operated at stops where you need to board?

Your wheelchair can't be accommodated on a transit vehicle?

Other?

Please explain (include routes, stop locations, and the type, size, securement devices, dimensions and weight of your wheelchair):

14. Are you prevented from travelling to or from a boarding location for one or more of the following reasons?

Inability to negotiate hilly terrain

Extreme sensitivity to climatic conditions

Allergic/environmental sensitivities

Hyper-fatigue, frailty

Night-blindness

Inability to cross busy intersections

Other reasons. Please explain: _____

IF THE APPLICANT HAS A COGNITIVE DISABILITY, THE FOLLOWING QUESTION MUST BE ANSWERED BY A QUALIFIED PROFESSIONAL FAMILIAR WITH THE APPLICANT'S ABILITIES.

15. Is the applicant able to perform the following functions without supervision?

a. Find his/her way between familiar locations?

Yes No Yes, with training

b. Signal the bus driver to get off at a familiar bus stop and get off the bus there? (Assume the driver announces all major stops.)

Yes No Yes, with training

c. At a bus stop served by more than one bus route, distinguish the correct bus to board and indicate intention to board?

Yes No Yes, with training

16. I hereby certify that the information given in this application is correct.

Signature: _____ Date: _____
Applicant

Signature of other person completing this form:

_____ Date: _____

Print name: _____

I hereby authorize _____ to release to
name and phone number of professional

San Mateo County Transit District certain information about my disability in order to verify my eligibility for a Redi-Wheels membership card. The information released will be used solely to determine my eligibility for Redi-Wheels.

I realize that I have the right to receive a copy of this authorization.

I understand that I may revoke this authorization at any time. Unless earlier revoked, this form will permit the health professional who is certifying my disability to release the information described until 60 days after the date appearing below.

name of applicant (please print)

date signed

signature of applicant

REDI-WHEELS ELIGIBILITY REVIEW

Name: _____ Date Application Received: _____
 Reviewed by: _____
 Professional verification: Confirms Contradicts/Modifies Date: _____
 Action: Permanent Temporary till: _____ Denied Date: _____
 Appeal Date: _____
 Action: Permanent Temporary till: _____ Denied Date: _____
 Redi-Wheels No. _____

Category 1

Unable to independently ride accessible service.

1. Qualifying Inabilities

- Wait
- Get on/off
- Keep balance
- Get to seat
- Grasp
- Identify bus
- Get off at right place
- None: Not eligible

2. Conditions

- Weather
- Variable health
- Crowds
- Exceptional trips

3. Determination

- Full (any item 1)
- Situational (any item 2)
- Not Eligible

Conditions:

Category 2

Eligible where service is inaccessible.

1. Can't use inaccess. service?

- Yes (Can't use)
- No (Can use): Not eligible

2. Uses wheelchair?

- No
- a. Ride existing lifts standing?
 Yes No

b. Can use existing lift buses?

- Yes
- c. Oversize wheelchair?
 Yes No

3. Determination

- If inacc. bus or stop (Yes to a. or b.)
- If no Part 38 bus (No to a.; No to b. and c.)
- Not eligible (No to 1 or Yes to c.)

Category 3

Can't travel to/from bus stop.

1. Disability prevents travel?

- Yes (short dist., ideal circ.)
- Yes (certain circumstances)
- No: Not eligible

2. Conditions

- Terrain
- Weather
- Variable health
- Distance over: _____
- Exceptional trips
- Night
- Busy intersections

3. Determination

- Full (1=1st yes)
- Situational (1=2nd yes)
- Not eligible (1=No)

Conditions:

Appendix F

**Sample Eligibility Material Developed by:
Madison Metro Transit System**

Materials included:

- **Instructions with Detailed Explanation of Eligibility**
- **Application Form**

MADISON METRO+PLUS TRANSIT SYSTEM APPLICATION FORM

Please review this application form carefully. Read the description of the various disabilities which is based on the Americans with Disabilities Act of 1990.

This application will be reviewed and eligibility will be determined by Metro+Plus staff. Staff may consult the appropriate professional expert regarding your eligibility at any stage of the certification process if it is deemed necessary. It is extremely important that the form is filled out *completely*. Any incomplete applications will be returned without being processed. Within 21 days of receipt of a completed application, an eligibility determination will be made. The submission of this application does not guarantee eligibility. Metro+Plus' determination will be in writing, and will inform the applicant of the acceptance or denial of eligibility, and in the case of a denial, the reason(s) for such. In the event eligibility is made conditional or denied, a full description of the appeals process shall be included with the written determination.

Disabilities are described in the following three categories:

1. Mental impairment, including development disabilities

- a. Is attributable to a mental or physical impairment or a combination of mental and physical impairments;
- b. Is likely to continue indefinitely;
- c. Results in substantial functional limitations in any of the following areas of major life activities: self-direction, learning, mobility, economic self-sufficiency, self-care, capacity for independent living and receptive and expressive language;
- d. Causes the substantial diminished level of functioning in the primary aspects of daily living and an inability to cope with the ordinary demands of life, attention impairment, cognition impairment, language impairment, memory impairment, conduct disorder, or motor disorder.

2. Physical impairment

- a. Persons having a physical condition resulting from injury, disease, or congenital deficiency which significantly interferes with or limits one or more major life activities and affects one or more of the following body systems: anatomical, musculoskeletal, neurological, respiratory including speech organs, cardiovascular, reproductive, digestive, genito-urinary, hemic and lymphatic, skin and endocrine.
- b. The term physical impairment includes, but is not limited to, such contagious or noncontagious diseases and conditions as orthopedic, visual, speech, and hearing impairments; cerebral palsy, epilepsy, muscular dystrophy, multiple sclerosis, cancer, heart disease, diabetes, mental retardation, emotional illness, specific learning disabilities, HIV disease and tuberculosis.

PLEASE SAVE THIS FOR FUTURE REFERENCE

3. Major life activities

- a. Activities relating to the performance of self-care and engaging in leisure or play activities. Self-care includes grooming, mobility, object manipulation, and ambulation.
- b. Activities relating to the ability to walk, see, hear, breathe or communicate.
- c. Activities relating to moving about in one's community for purposes that include accessing and participating in vocational, educational, recreational, and social activities in the community with other members of the community.

Eligibility standards are as follows:

1. Any individual with a disability (as defined above), who is unable to board, ride or disembark from any accessible vehicle on the fixed-route system without the assistance of another individual (excluding the operator of a wheelchair lift or other boarding assistance device).
2. Any individual with a disability who needs the assistance of a wheelchair lift or other boarding device and is able, with operator assistance, to board, ride, and disembark from any vehicle which is readily accessible and usable by individuals with disabilities if the individual wants to travel on a route on the system during the hours of operation of the system at a time, or within a reasonable period of such time, when an accessible vehicle is not being used to provide designated public service on that route.

This category addresses the fact that until the fixed-route system is capable of providing accessible service to persons with disabilities, they will be granted temporary ADA eligible status. As the fixed-route system becomes accessible, any person found eligible under this paragraph will be expected to utilize the system to the fullest extent possible.
3. An individual with a disability who has a specific impairment-related condition which prevents the individual from traveling to or from a fixed-route bus stop. A condition which makes traveling to or from a bus stop more difficult for a person with a specific impairment-related condition than for an individual who does not have the condition, but does not prevent the travel, is not a basis for eligibility under this paragraph.
 - a. The specific impairment-related condition must **prevent** the person from using the fixed-route system. Conditions which make getting to or from a bus stop more difficult or less comfortable do not confer eligibility.
 - b. Architectural barriers not under the control of the transit provider to remove, e.g., curb cuts, and environmental barriers, e.g., distance terrain and weather, do not, when considered alone, confer eligibility. If, however, travel to or from a bus stop is impossible when combined with the person's specific impairment-related condition, paratransit service must be provided.

If you feel that your disability may fit into one of the previously described categories, please continue with the following five pages of this application form. If you do not meet the criteria defined herein, please contact the Madison Metro Transit Information Center at 266-4466 (TDD 267-1143) for information on the fixed-route system. If you would like a copy of the eligibility criteria as defined in the Federal Register, please contact the Metro+Plus Office at 267-8787 (TDD 267-8789).

Please Type or Print Clearly/Must Be Complete

Applicant Information:

Last Name:	First Name:	M.I.:
Address:		
City:	State:	Zip Code:
Name of Residence (if appropriate):		
Phone Numbers/ Home:	Business:	Extension:
Date of Birth/Month:	Day:	Year:

Mailing Address, if different from above:

Address:		
City:	State:	Zip Code:
Contact Person's Name (if applicable):		

Please list the names of two people and/or an agency, that we may contact in the event of an emergency:

Name:	Telephone Number(s):	
Address:		
City:	State:	Zip Code:

Name:	Telephone Number(s):	
Address:		
City:	State:	Zip Code:

Agency:	Telephone Number(s):	
Address:		
City:	State:	Zip Code:

Please list the names of two professionals, which may include physicians, agencies or others familiar with your disability, who may be contacted by Metro+Plus staff if verification of information is required:

Name:	Telephone Number(s):	
Address:		
City:	State:	Zip Code:

Name:	Telephone Number(s):	
Address:		
City:	State:	Zip Code:

Please Type or Print Clearly/Must Be Complete

1. What is your disability? (Disability is defined as a physical or mental impairment that substantially limits one or more life activities)

Reason for Disability	Disability
EXAMPLE: Glaucoma	Blindness
EXAMPLE: Spinal Cord Injury	Paraplegia
1. _____	_____
2. _____	_____
3. _____	_____
4. _____	_____
5. _____	_____
6. _____	_____
7. _____	_____
8. _____	_____

Other comments:

2. Please mark all of the categories below as they relate to your disability.

- a. Medically defined cold/heat sensitivity?
 Yes No Sometimes
- b. Distance to fixed route stop is too far?
 Yes No Sometimes
- c. Recognize destinations/bus stops or landmarks?
 Yes No Sometimes
- d. Able to travel or walk the physical terrain to or from bus stop?
 Yes No Sometimes
- e. Adversely affected by certain types of weather?
 Yes No Sometimes

If yes, what type and how does it affect you?

- f. Able to cross streets at busy intersections.
 Yes No Sometimes

If no, name those which are troublesome.

- g. Able to receive or exchange printed information?
 Yes No Sometimes
- h. Able to receive or give spoken words or auditory information?
 Yes No Sometimes
- i. Give addresses and telephone numbers upon request?
 Yes No Sometimes
- j. Deal with unexpected situations or changes in routine? (example: bus detours)
 Yes No Sometimes
- k. Ask for, understand and follow directions?
 Yes No Sometimes
- l. Safely and effectively travel through crowded and/or complex facilities?
 Yes No Sometimes
- m. Able to detect curbs and other drop offs?
 Yes No Sometimes
- n. Ability to travel streets without traffic control lights?
 Yes No Sometimes
- o. Ability to travel streets with traffic control lights?
 Yes No Sometimes
- p. Able to see at night?
 Yes No Sometimes
- q. Does weather affect your vision?
 Yes No Sometimes
- r. Are you legally blind? (Legally blind is defined as: The visual acuity in your best eye with best correction is no better than 20/200, or the visual field of the best eye is constricted to less than 20 degrees.)
 Yes No Sometimes
- s. Do you have limited vision?
 Yes No Sometimes
- t. Other comments or situations relating to your disability.
-
-
-

3. Will you be requiring Metro+Plus service:
 Permanently Temporarily Until fixed route buses have lifts

If temporarily, for how long? _____ months

4. Do you travel with an attendant?
 Yes No Sometimes

If sometimes, when: _____

(In order for your attendant to ride with you at no charge, you must inform the office staff that you will be accompanied by an attendant when making your ride request. The attendant is then responsible for assisting you, not Metro+Plus.)

5. Approximately how many city blocks can you travel independently? Do not include distances covered in cars or buses.

Blocks _____

6. Can you walk up and down or climb steps independently?

Yes No Sometimes

If yes, or sometimes, how many steps in succession? _____ Steps

7. Do you use a mobility assistance device when travelling?

(Examples include a wheelchair, cane, crutches, service animal and walker)

Yes No Sometimes

Please specify the type of device: _____

8. If you use a wheelchair, what type is it?

Manual Power

Make/model of chair _____

Physical dimensions of chair, including foot or head

extensions; In inches Wide _____ High _____

9. If you use a wheelchair, are you able to transfer into a taxi cab seat?

Yes No Sometimes

10. Do you have a communication disability which necessitates the use of some type of communication aide? (Examples include a lapboard and telecommunication device for the deaf.)

Yes No Sometimes

If yes or sometimes, what aid: _____

11. In what format would you prefer your response to this application?

Written

Braille

Audio (tape)

Release of Information

I, the applicant, understand that the purpose of this application form is to determine my eligibility to use the Madison Metro+Plus Transit System. I agree to release the information requested to Metro+Plus and any eligibility review panel, and understand that the information contained herein will be treated confidentially. I understand further that Metro+Plus reserves the right to request additional information at its discretion.

Signature of Applicant Date

Printed Name of Applicant

Signature of Preparer (if other than applicant) Date

Printed Name of Preparer

If preparer represents an agency, please print the agency name here.

Signature of Parent or Legal Guardian Date

Printed Name of Parent or Legal Guardian

Thank you for completing this application form. Please return it to:

Madison Metro+Plus
1101 East Washington Avenue
Madison, WI 53703.

For Metro+Plus Office Use Only	
Date Application Received: _____	<input type="checkbox"/> Approved <input type="checkbox"/> Denied Date: _____
Eligibility Category	<input type="checkbox"/> 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3
Mailed Response (date): _____	By Whom: _____
Client Code: _____	Conditional Eligibility: _____
Nearest Major Intersection: _____	
Nearest Bus Stop: _____	
Approximate Distance to Nearest Stop: _____	
Extenuating Conditions: _____	

Appendix G

**Sample Eligibility Material Developed by:
Utah Transit Authority**

Materials included:

- **"Eligibility Information Sheet"**
- **Application Form**

ADA PARATRANSIT SERVICE
Eligibility Information Sheet

The Americans with Disabilities Act (ADA) requires that complementary paratransit (curb-to-curb) service be available to persons who, because of a disability, are unable to use the regular bus system.

The Utah Transit Authority either operates or provides funding to operate this service in Salt Lake, Weber, and Davis Counties and northern Utah and Tooele Counties.

Eligibility

Eligibility for paratransit service is based upon a person's functional inability to use regular UTA bus service. Three categories of persons who are eligible for paratransit are established by the ADA.

Category 1

Any person who is unable, because of a disability, to independently board, ride, and/or disembark from a lift equipped bus. This includes persons who are unable to "navigate" the UTA system without the assistance of another person.

For example, individual is unable to:

- board or disembark from an accessible vehicle without assistance
- maintain balance while seated on a moving bus
- identify correct bus or stop
- understand transfer directions needed to complete the trip

Category 2

Any person with a disability who is able to use a lift or ramp equipped bus, but for whom any desired trip cannot be made because the fixed route he/she wants to ride is not operated by a lift equipped bus.

This is a transitional category. When all UTA buses are accessible, persons in this category will no longer be eligible for paratransit service.

THIS INFORMATION IS AVAILABLE IN BRAILLE OR LARGE PRINT

Category 3

Any person with a disability who has a specific impairment-related condition which prevents him or her from traveling to or from a boarding or disembarking location.

- A. Only a specific impairment-related condition which prevents the individual from traveling to or from a bus stop is a basis for eligibility under this category. A condition which makes traveling to or from a bus stop difficult, but does not prevent the travel, is not a basis for eligibility under this paragraph.
- B. Architectural barriers not under the control of UTA and environmental barriers (e.g., distance, terrain, weather) do not alone form a basis for eligibility. However, the interaction of such barriers with an individual's impairment-related condition may form a basis for eligibility if the effect is to prevent the individual from traveling to or from a bus stop.

Eligibility under Category 3 may be situational under the following conditions:

- extreme weather conditions interact with an impairment-related condition
- variations in the health/functional ability of the individual
- visual, cognitive or developmental disability prevents travel to or from a stop for exceptional trips

Conditional Eligibility

Some people with disabilities may be able to use regular UTA bus service under certain conditions, but not under others. Eligibility for paratransit for some individuals will be determined on a trip-by-trip basis. Examples of conditional eligibility under each eligibility category are as follow:

Category 1: A person with mental retardation or blindness may have received mobility training which allows him/her to travel independently to a work site, but is not able to "navigate" the system to travel to other locations. This person will be eligible for paratransit only for trips other than work.

Category 2: A person who requires the lift or ramp to board the bus and whose desired destination is served by accessible service is not eligible for paratransit for that particular trip. However, if that person desires to travel to a destination that is not served by accessible buses, he/she will be eligible

for paratransit.

Category 3: A person who uses a wheelchair who can travel to the bus stop in good weather, but is unable to maneuver with snow on the ground, would be eligible only on days of severe weather conditions.

Temporary Eligibility

A person with a temporary disability will be eligible for paratransit service if the disability results in his/her functional inability to use the UTA bus system as described in the three eligibility categories.

Personal Care Attendants

A personal care attendant who is accompanying a passenger who requires assistance may travel free. The attendant must complete and submit a registration form.

Visitors

Persons visiting the UTA service area who provide documentation of ADA paratransit eligibility from another area will automatically be eligible for paratransit service. Persons who do not possess documentation, but claim their disability prevents them from using the UTA bus system, will be considered "presumptively" eligible for a period not to exceed 21 days. If the individual plans to remain in the area longer, he/she must go through the eligibility process which has been established for residents.

In-Person Evaluation

It may be necessary for some paratransit applicants to participate in an in-person evaluation to determine eligibility for paratransit services. Notification will be given if this will be required.

Right to Appeal

Persons who are denied eligibility for paratransit services have the right to appeal the decision. A request for appeal must be filed in writing within 60 days of the denial of the application. The appeal will be heard by: 1) a professional consultant; 2) a disabled advisory committee; 3) UTA's transportation disabled advisory committee; 4) the UTA Board of Directors.

A copy of the appeals process is available for public inspection from Kathy McCune during regular business hours at the UTA offices, 3600 South 700 West, Salt Lake City.

Application for Determination of Paratransit Eligibility

If you believe that you have a disability which prevents you from using the UTA bus system, please complete this form and mail it in the envelope provided. Your disability must prevent you from using the UTA bus. *Please read the ADA Paratransit Information Sheet carefully for further clarification.*

An in-person evaluation of your inability to use the UTA bus may be necessary. You may be found eligible for paratransit (curb-to-curb)* service for all of your trips, for some of your trips or capable of using the UTA bus.

It is important that all parts of this form are completed. If not, it will be returned to you for completion. *All information will be kept confidential.*

Please use the envelope provided or return to:

ADA Certification Committee
Utah Transit Authority
P.O. Box 30810
Salt Lake City, Utah 84130-0810

PLEASE PRINT

Last Name _____		First _____	Initial _____
<input type="checkbox"/> Mr.	<input type="checkbox"/> Mrs.	<input type="checkbox"/> Ms.	<input type="checkbox"/> Miss
Address _____		City _____	Zip _____
Phone (daytime) _____		(evening) _____	
Date of Birth (month/day/year) ___/___/___			
In case of emergency, notify:			
Name _____		Phone _____	

*Operators will assist you on and off vehicles, but will not go into residences or buildings.

Disability Information

A. The disability that prevents me from using UTA buses places me in the following category (see information sheet for further clarification).

- 1. I am unable to ride the UTA bus without the assistance of someone else.
- 2. I need a lift or ramp to board the bus.
- 3. My disability prevents me from getting to the bus stop.
- 4. My disability does not prevent me from riding the UTA bus.

B. Disabling Condition(s) _____

C. Please explain how your disability prevents you from using the UTA bus system. Be specific. (Attach separate sheets, if necessary.)

Mobility Information

D. Which of these mobility aids or equipment do you use to help you get where you need to go?

- | | | |
|-----------------------------------|---|---|
| <input type="checkbox"/> Cane | <input type="checkbox"/> Manual Wheelchair | <input type="checkbox"/> Bus ID cards |
| <input type="checkbox"/> Walker | <input type="checkbox"/> Power wheelchair | <input type="checkbox"/> Service animal |
| <input type="checkbox"/> Crutches | <input type="checkbox"/> Powered scooter/cart | <input type="checkbox"/> None of these |

Other _____

E. Using a mobility aid or on your own, how many blocks can you travel?
 _____ blocks.

F. Do you require an attendant to accompany you when you travel by public transit?
 (either UTA buses or paratransit)

Yes

No

If yes, please complete the following

Please identify your personal care attendant:

Name: _____

Address: _____

City: _____ Zip Code _____

Telephone Number: (Home) _____ (Work) _____

G. Have you ever had any training to learn how to use a regular bus?

No

Yes. The training was at: _____

H. Is your health condition or disability temporary?

I don't know

No.

Yes. How long do you expect it to last? _____

I. Does your disability or health condition change from time to time in ways which
 affect your ability to use the UTA bus system?

No

Yes. Please describe. _____

J. Are there any other conditions which limit your ability to use the UTA bus?

No

Yes. Please explain. _____

K. Are you eligible for any transportation subsidies?

Medicaid

Aging Services

Human Services

Other (please list) _____

SIGNATURE PAGE

- 1. I certify that the information I gave in this application is true and correct. I understand that falsification of information may result in denial of service. I understand all information required to provide the service I request will be disclosed to those who perform those services. I understand that it may be necessary for me to participate in an in-person evaluation to determine my eligibility for paratransit services.

Applicant Signature _____ **Date** _____

- 2. Person completing the form if other than applicant (please check one):

I certify that the information provided in this application is true and correct based upon my own knowledge of the applicant's health condition or disability.

I certify that the information provided in this application is true and correct based upon my own knowledge of the applicant's health condition or disability, with the following exceptions or additions:

Signature of _____
person completing
form

Appendix H

**Sample Eligibility Material Developed by:
Worcester Regional Transit Authority**

Materials included:

- **Cover Letter to Applicants**
- **Request for Certification Form**
- **Professional Verification Form**
- **Review Checklists (to check for completeness)**
- **"Routing Slip" (to track the process)**
- **"Final Determination" Documentation Form**
- **Reviewer Guidelines**

**Worcester
Regional
Transit
Authority**

287 GROVE STREET

WORCESTER, MASSACHUSETTS 01605

(508) 791-2389 FAX (508) 752-1676

Dear Applicant:

The federal government has issued regulations implementing the Americans with Disabilities Act (ADA). These regulations require that the Worcester Regional Transit Authority (RTA) provide ADA level van service for individuals with disabilities who are unable to use regular bus service. This van service must be comparable to the service people receive when they use the bus system.

Riders who become ADA eligible must be given trip priority over riders who are not eligible. **Therefore, current van riders must be recertified to become eligible for ADA level van service.**

Please complete the enclosed form "Request for Certification to use WRTA Paratransit Van Services" and return it in the enclosed self-addressed envelope.

The form asks you to designate the health care or rehabilitation professional who is most familiar with your ability to travel. The person you designate could be a physical or occupational therapist, a staff person or another health care professional who is very familiar with your mobility. That person will be asked to verify your mobility limitations by filling out a separate form. We will mail the verification form to your health care or rehabilitation professional.

Your application will be considered complete only when the RTA receives the completed professional verification form. At that time, your application will be reviewed for eligibility. It will be your responsibility to make sure that your health care professional completes this form and returns it to the RTA.

You will receive your eligibility decision in writing. If you are determined ineligible for ADA level van service, you will be made aware of your right to appeal the decision.

The Worcester Area Van Express (WAVE), one of the RTA paratransit operations under contract to the RTA, will be handling your application from this point forward. If you have questions regarding this letter or the enclosed application, please feel free to call Diana Johnson at 752-9283.

Sincerely,



Robert E. Ojala
Administrator

Enclosure

REQUEST FOR CERTIFICATION TO USE WRTA PARATRANSIT VAN SERVICES

**THIS APPLICATION IS TO BE FILLED OUT BY THE PERSON APPLYING FOR
ELIGIBILITY, NOT A HEALTH CARE OR REHABILITATION PROFESSIONAL.**

The following application will be used by the Worcester Regional Transit Authority (WRTA) to determine eligibility for ADA Complementary Paratransit Van Service, Special Transit Mobility Impaired and Elderly Medical Van Service. To use any of these WRTA paratransit services you need to be able to meet the van at the street level. The information obtained in this certification process will be used by the WRTA for the provision of transportation services. Information will only be shared with other transit providers to facilitate travel in those areas. The information will not be provided to any other person or agency.

1. Name _____
Street Address _____
City/Town _____ State _____ Zip _____
Telephone Number (Home): (____) _____ (Work): (____) _____
(Optional) Please indicate with a check (✓) if you are :
Under 60 _____ Over 60 _____ Over 70 _____ Over 80 _____ Over 90 _____

2. Explain completely how your disability or disabilities prevent you from using the WRTA's regular bus service? Use an additional sheet if needed.

3. Is this condition temporary? Yes _____ No _____
If Yes, expected duration until: Date: _____

4. Do changes in weather (extreme heat, cold, wind, rain, snow or ice) prevent you from getting around on your own? Yes _____ No _____
If yes, explain completely below:

THE FOLLOWING INFORMATION WILL BE USED TO ENSURE THAT AN APPROPRIATE VEHICLE IS UTILIZED TO PROVIDE YOUR RIDES AND THAT AN ACCURATE ANALYSIS OF YOUR TRIP REQUESTS CAN BE MADE.

5. Do you require a Personal Attendant/PCA when you *travel* on public transit?

Yes _____ No _____

6. A. Do you use any of the following mobility aids? Yes _____ No _____

If yes, check all that apply.

Manual Wheelchair _____ Electric Wheelchair _____

Powered Scooter _____ Cane _____

Assistive Dog _____ Crutches _____

Other (Please List): _____

B. Are you able to independently maneuver onto or off of a wheelchair lift?

Yes _____ No _____

7. Please answer all of the following questions that apply:

A. For individuals who do not use a mobility aid, how many city blocks can you walk independently?

(Imagine a city block to be approximately 500 feet in length. Check one.)

0 Blocks _____ 1 Block _____ 2 Blocks _____ 3 Blocks _____ 4 Blocks _____

5 Blocks _____ 6 Blocks _____ 7 Blocks _____ 8 Blocks _____ 9 Blocks _____

B. If you use a mobility aid(s) how many city blocks can you travel independently?

0 Blocks _____ 1 Block _____ 2 Blocks _____ 3 Blocks _____ 4 Blocks _____

5 Blocks _____ 6 Blocks _____ 7 Blocks _____ 8 Blocks _____ 9 Blocks _____

C. How many 7-inch steps can you climb without assistance? _____

(The average step height is 7 inches)

D. How many 10-inch steps can you climb without assistance? _____

E. How far is the closest bus stop (in city blocks) from your residence? _____

F. How long can you wait for a bus at a bus stop? (Please check one)

_____ 10 Minutes _____ 15 Minutes _____ 30 Minutes _____ Other

11. In order to allow the Worcester Regional Transit Authority to evaluate your request, it is necessary to contact your health care or rehabilitation professional to confirm the information you have provided.

Please complete and sign the following authorization.

I authorize the WRTA to contact the health care or rehabilitation professional listed below to obtain information regarding my disability and its affect on my ability to get around on my own.

Name of Health Care Professional _____
Street Address _____
City/Town _____ State _____ Zip _____
Telephone Number (____) _____

Applicant's Name _____
(PLEASE PRINT)

Applicant's Signature _____

Date: _____

12. **I hereby certify that all of the information given in this application is correct.**

Applicant's Signature _____

Date: _____

PROFESSIONAL VERIFICATION OF ADA FUNCTIONAL LIMITATION(S) AFFECTING MOBILITY

Dear _____

The attached authorization form has been submitted by _____, who has indicated that you are familiar with his/her disability.

The purpose of this form is not to verify his/her medical condition, but to verify the affect of the medical condition on his/her ability to get around on his/her own. All questions must be answered for this form to be considered complete.

This information will allow the RTA to make a timely evaluation of his/her request for transportation and **must be returned within 5 days**. Thank you for your cooperation.

1. Capacity in which you know the applicant:

How does the disability cause a functional limitation(s) that affects this person's ability to get around? If the person's ability to get around on his/her own varies in degree at different times, explain the *worst case scenario*. Please be specific.

2. Is the condition temporary? Yes _____ No _____
 If yes, expected duration until: Date: _____

3. If the applicant has a disability affecting mobility, answer the following:

a. Assuming the length of a city block is 500 feet, how many blocks can this person walk without assistance?

0 Blocks _____ 1 Block _____ 2 Blocks _____ 3 Blocks _____ 4 Blocks _____
 5 Blocks _____ 6 Blocks _____ 7 Blocks _____ 8 Blocks _____ 9 Blocks _____

b. Does this person use any mobility aids? Yes _____ No _____ (If yes, please list below:)

c. With the use of a mobility aid(s), how many blocks can he/she travel independently?

0 Blocks _____ 1 Block _____ 2 Blocks _____ 3 Blocks _____ 4 Blocks _____
 5 Blocks _____ 6 Blocks _____ 7 Blocks _____ 8 Blocks _____ 9 Blocks _____

d. How many 7-inch steps (average step height) can this person climb without assistance? _____

e. How many 10-inch steps can this person climb without assistance? _____

f. How long can this person wait for a bus at a bus stop?

_____ 10 Minutes _____ 15 Minutes _____ 30 Minutes _____ Other

g. Is individual able to independently maneuver onto and off of a wheelchair lift with or without a mobility aid? Yes _____ No _____

h. Does this person require a Personal Attendant / PCA when **traveling** on public transit?

Yes _____ No _____

i. Can this person read informational signs? Yes _____ No _____
 If no, please explain:

ii. Can this person navigate independently? Yes _____ No _____
 If no, please explain:

Is the person able to:

k. Give his/her address and telephone number upon request? Yes _____ No _____

l. Recognize landmarks? Yes _____ No _____

m. Deal with unexpected situations or unexpected changes in routine? Yes _____ No _____

n. Ask for, understand and follow directions? Yes _____ No _____

o. Safely and effectively travel through crowded and/or complex facilities? Yes _____ No _____

4. If any, what specific weather conditions **prevent** the individual from getting around on his or her own? Please explain completely:

5. Please describe any other functional limitation(s) affecting mobility not described above. Be specific:

6. Your Name and Title: _____
 Office Address: _____
 Office Phone Number: (____) _____
 Signature: _____ Date: _____

RETURN COMPLETED FORM TO: THE WORCESTER REGIONAL TRANSIT AUTHORITY
 287 GROVE STREET
 WORCESTER, MA 01605
 ATTN: DIANA JOHNSON

WORCESTER REGIONAL TRANSIT AUTHORITY
ADA ELIGIBILITY APPLICATION CHECKLIST

STAFF INITIALS: _____

DATE: _____

Please indicate by a check () if the following items are complete. Each numbered item corresponds to the numbered sections on the application.

- ___ 1. Applicant's personally identifiable information
- ___ 2. Explanation of how disability(ies) prevent applicant from using RTA regular bus service
- ___ 3. Condition temporary? Duration date.
- ___ 4. Changes in weather affecting ability; if yes, explanation provided
- ___ 5. Personal Assistant/PCA ?
- ___ 6. ___ A. Mobility aids?
___ B. Can maneuver onto and off of lift?
- ___ 7. ___ A. City blocks without assistance?
___ B. City blocks without assistance, with mobility aid?
___ C. # of 7-inch steps?
___ D. # of 10-inch steps?
___ E. Closest bus stop?
___ F. Length of time waiting for bus?
- ___ 9. Optional - If yes, refer to travel trainer.
- ___ 10. Optional. If answered, all required information is complete.
- ___ 11. Authorization release information is complete, signed and dated by applicant. Signature must match applicant's name in item #1.
- ___ 12. Applicant signature and date is complete. Signature must match applicant's name in item #1.

WORCESTER REGIONAL TRANSIT AUTHORITY
ADA ELIBILITY VERIFICATION CHECKLIST

STAFF INITIALS: _____

DATE: _____

Please indicate by a check (✓) if the following items are complete.
Each numbered item corresponds to the numbered section on the rehab/health
care professional verification of functional limitation(s) affecting mobility.

- _____ 1. Relationship to applicant; Explanation of how the disability
causes functional limitation(s) that affects applicant's ability
to get around.
- _____ 2. Condition temporary? Duration date.
- _____ 3. a. # of blocks applicant can walk without assistance?
- _____ b. Mobility aid?
- _____ c. With mobility aid, # of blocks he/she can travel?
- _____ d. Optional.
- _____ e. # of 10-inch steps?
- _____ f. # of minutes he/she can wait at stop?
- _____ g. Maneuver on/off lift?
- _____ h. Personal Attendant/PCA?
- _____ i. Read informational signs?
- _____ j. Navigate independently?
- _____ k. Give address and telephone number?
- _____ l. Recognize landmarks?
- _____ m. Deal with unexpected situations/changes in routine?
- _____ n. Ask for, understand and follow directions?
- _____ o. Travel through crowded/complex facilities?
- _____ 4. Conditions in weather affecting mobility; if yes, explanation
provided?
- _____ 5. Optional.
- _____ 6. Professional's name, title, address, phone #, signature and date.

ADA E03a (Rev. 04/16/93)

WORCESTER REGIONAL TRANSIT AUTHORITY
ADA ELIGIBILITY ROUTING SLIP

APPLICANT _____

ADDRESS _____

CITY/TOWN _____ STATE _____ ZIP _____

TELEPHONE NUMBER (HOME) (_____) (WORK) (_____)

CURRENT STATUS OF APPLICATION:

_____ DATE APPLICATION SENT TO APPLICANT
_____ DATE APPLICATION RECEIVED BY WAVE

_____ DATE APPLICATION REVIEWED VIA APPLICATION CHECKLIST
_____ COMPLETE _____ INCOMPLETE

_____ DATE REFERRED TO TRAVEL TRAINER

_____ DATE REQUEST SENT FOR PROFESSIONAL VERIFICATION (INCLUDE
COPY OF RELEASE OF INFORMATION SECTION FROM APPLICATION
#11)

_____ DATE POST CARD SENT
_____ DATE VERIFICATION RECEIVED BY WAVE

_____ DATE PROFESSIONAL VERIFICATION FORM REVIEWED VIA
PROFESSIONAL VERIFICATION CHECKLIST
_____ COMPLETE _____ INCOMPLETE

IF APPLICATION IS INCOMPLETE:

_____ DATE APPLICATION RETURNED TO APPLICANT (cc. _____)
_____ DATE APPLICATION RECEIVED BY WAVE
_____ DATE APPLICATION RE-REVIEWED VIA APPLICATION
CHECKLIST
_____ COMPLETE _____ INCOMPLETE

IF PROFESSIONAL VERIFICATION FORM IS INCOMPLETE:

_____ DATE PROFESSIONAL VERIFICATION FORM IS RETURNED TO
PROFESSIONAL
_____ DATE PROFESSIONAL VERIFICATION FORM RECEIVED BY
WAVE
_____ DATE PROFESSIONAL VERIFICATION FORM
RE-REVIEWED VIA PROFESSIONAL VERIFICATION
CHECKLIST
_____ COMPLETE _____ INCOMPLETE

_____ DATE APPLICATION COMPLETE AND REFERRED TO ELIGIBILITY
REVIEWERS

ADA ELIGIBILITY ROUTING SLIP

Page 2

_____ DATE OF ELIGIBILITY DETERMINATION AND RETURN OF FILE TO
WAVE (SEND LETTER # _____, IF ELIGIBLE) (CC. _____)
INCLUDE APPEAL PROCESS WHEN APPROPRIATE.

_____ DATE OF REVIEW WITH WAVE MANAGER AND ASSISTANT
MANAGER IF INELIGIBLE AND RETURN OF FILE TO WAVE
(SEND LETTER # _____) (CC. _____)
INCLUDE APPEAL PROCESS WHEN APPROPRIATE
_____ DATE DETERMINATION LETTER SENT

_____ DATE APPEAL REQUEST RECEIVED BY WAVE
_____ DATE OF SCHEDULED APPEAL
_____ DATE OF APPEAL BOARD DECISION
_____ DATE APPEAL BOARD DECISION LETTER SENT TO APPLICANT
INCLUDE APPEAL PROCESS WHEN APPROPRIATE

ADA E-07 (Rev. 11/23/92)

WORCESTER REGIONAL TRANSIT AUTHORITY
REVIEWER'S ADA ELIGIBILITY CONTACT LOG

APPLICANT: _____ REVIEWER: _____

PURPOSE OF CONTACT: _____

DATE _____ COMMENTS/RESULTS _____

HEALTH CARE/REHAB. CONTACT: _____

PURPOSE OF CONTACT: _____

DATE _____ COMMENTS/RESULTS _____

WORCESTER REGIONAL TRANSIT AUTHORITY (RTA)
ADA ELIGIBILITY GUIDELINES

APPLICANT: _____ DATE OF REVIEW: _____
REVIEWER: _____

CATEGORY I:

THIS CATEGORY RELATES TO AN INDIVIDUAL WHOSE DISABILITY PREVENTS HIM OR HER FROM "NAVIGATING THE SYSTEM" INDEPENDENTLY. SPECIFICALLY, THE INDIVIDUAL CANNOT BOARD, RIDE OR DISEMBARK FROM AN ACCESSIBLE VEHICLE INDEPENDENTLY OR COMPLETE TRANSFERS WITHOUT THE ASSISTANCE OF ANOTHER INDIVIDUAL.

- Yes No 1. Does individual require a Personal Attendant/PCA to travel? (App.5,8) (Ver. 3H) If yes, eligible providing that other information in the application and/or verification form supports this claim.
2. Can individual board, ride, and navigate (transfers) on an accessible fixed route system? (App.2,3,4,7A-7D,7F,8) (Ver.1,2,3A,3C,3E,3F,4C,4D,5A-F,7)
- Yes No A. Can individual wait at bus stop (either with or without a wheelchair or other mobility aid) for 10 minutes in good weather conditions. If no, eligible. (App. 2,7F,8) (Ver. 1,3F,7)
- Yes No Does weather prevent individual from waiting at bus stop for 10 minutes? Indicate:
 Heat Cold Rain Snow Wind Ice
(App. 4 and 2,7F, 8) (Ver. 1,3F,6,7) If yes, eligible with limitations.
- Yes No B. Can individual independently maneuver onto/off of a lift either with or without the use of a mobility aid? If no, eligible providing that other information in the application and/or verification form supports this claim. (App. 2,6B,7B,8) (Ver. 1,3C,3G,7)
- Yes No C. Orientation: Can individual independently select correct bus, recognize destination and disembark, and make transfers? If no, eligible. (App. 2,8) (Ver. 1,4C,4D,5A-5F,7) (NOTE: Not applicable for individuals with visual impairments.)
- Yes No D. Can individual actually tolerate riding the bus? (i.e. stamina, balance, muscle weakness, motion sickness, etc. or potential consequences related to the progression of certain diseases, or to the effect of treatments like chemotherapy, radiation and dialysis.) (App. 2,3,4,8) (Ver. 1,2,7) If no, eligible.

ADA ELIGIBILITY GUIDELINES (PAGE 2)

CATEGORY III:

THIS CATEGORY RELATES TO AN INDIVIDUAL WITH A DISABILITY WHO CANNOT GET TO AND FROM A STOP DUE TO THE INTERACTION OF ENVIRONMENTAL CONDITIONS (TERRAIN AND WEATHER) WITH HIS OR HER IMPAIRMENT RELATED CONDITION.

1. Does disability prevent individual from independently getting to and from bus stop at point of origin or destination?
If yes, eligible. (App. 2,7A,7B,7E,8)
(Ver.1,3A,3C,3F,4C,4D,5A-5F,7)

 Yes No A. Is individual able to travel 3 blocks (1/4 mile) with or without the use of a mobility aid? (Includes wheelchair, walker, cane, crutches, etc.) If no, eligible.
(App.2,7A,7B,7E,8) (Ver.1,3A,3C,3F,4C,4D,5A-5F,7)

 Yes No 2. Does weather or terrain impact the person's disability such that it prevents individual from independently getting to and/or from a bus stop at point of origin or destination? If yes, eligible either with or without limitations. (App.2,4,8) (Ver.1,6,7)

Indicate: Heat Cold Rain Snow Wind Ice
 Hills Rough Terrain

CATEGORY II: TRANSITIONAL CATEGORY

IF A PERSON IS ELIGIBLE WITHOUT LIMITATIONS UNDER CATEGORY I OR III, DO NOT PROCEED WITH CATEGORY II REVIEW.

THIS CATEGORY RELATES TO AN INDIVIDUAL WITH A DISABILITY WHO WOULD BE CAPABLE OF USING AN ACCESSIBLE VEHICLE IF PRESENTED WITH ONE. AN INDIVIDUAL ELIGIBLE UNDER THIS CATEGORY IS ONLY ELIGIBLE BECAUSE THE WRTA'S FIXED ROUTE SYSTEM IS ONLY PARTIALLY ACCESSIBLE AT THE PRESENT TIME.

EXCEPTION: AN INDIVIDUAL WHO LIVES ALONG AN ACCESSIBLE FIXED ROUTE AND HAS RECURRING SUBSCRIPTION TYPE DESTINATIONS ALSO SERVED BY AN ACCESSIBLE FIXED ROUTE WILL BE REQUIRED TO USE THE FIXED ROUTE FOR THOSE SUBSCRIPTION TRIPS EVEN BEFORE THE ENTIRE SYSTEM IS ACCESSIBLE. HE OR SHE MAY, HOWEVER, BE ELIGIBLE FOR PARATRANSIT RANDOM TRIP REQUESTS.

1. Does individual require system accessibility features?
(App.2,6A,7D,8) (Ver.1,3B,3E,4A-D,7) If yes, eligible under Category II until system has needed accessibility features.

Yes No A. Does individual require a wheelchair to travel?
(App. 6A) (Ver. 3B) If yes, eligible under Category II until system lift equipped.

Yes No B. Is individual unable to independently climb 3 consecutive 10-inch steps with or without use of mobility aid (e.g. cane, walker, crutches, etc.)? If yes, eligible under Category II until system lift equipped. (App. 7D,8) (Ver. 1,3E,7)

Yes No C. Does individual with visual impairment require driver announcements to be aware of stops and transfer point (City Hall) and/or Bus Identifier Kit to display while waiting at stop to make drivers aware of desired bus #? If yes, eligible until these accessibility features are available.
(App.2,8) (Ver. 1,4A-4D,7)

Yes No D. Does individual with hearing impairment require a card to give driver that contains information regarding destination, transfer if needed and/or the need for assistance securing/releasing wheelchair or other. If yes, eligible until these accessibility features are available. (App.2,8) (Ver. 1,7)

ITEMS #1 A, B, C OR D MUST BE ANSWERED "YES" FOR TRANSITIONAL ELIGIBILITY (CATEGORY II)

Appendix I

**Sample Eligibility Material Developed by:
Municipality of Metropolitan Seattle (Metro)**

Materials included:

- **Flyer Sent to Registered Riders Regarding ADA Eligibility**
- **Application Form which Includes Professional Verification**
- **In-Person Assessment Forms Including Summary Information Page, "Physical Functional Evaluation" Form, "Cognitive Functional Evaluation" Form, and "Combined Functional Evaluation" Form "Eligibility Appeals Process" Brochure**



Americans With Disabilities Act

To all registered Special Transportation Service Program users (Reserve-A-Ride and Taxi Scrip)

If you have a disability which prevents you from using the bus some or all of the time, you may be eligible for Metro's new ADA Paratransit Service. This new service will have more service days, longer hours and new vans which will operate throughout King County.

In order to use this new service, you will need an ADA Paratransit ID Card

By applying now, you will be ready when Metro begins the new ADA Paratransit Service in late 1993. Until then, there will be no change in the Reserve-A-Ride or Taxi Scrip programs.

To apply, please do the following:

- Fill out the enclosed application form, or have someone fill it out for you.
- Have Part E (Professional Verification) signed by one of the professionals listed at the top of that page.
- Return the completed application form in the enclosed postage paid envelope.

The Reserve-A-Ride and Taxi Scrip programs will continue. Recently, you received materials about how to re-register for these programs.

If you have any questions, please call Metro at 689-3113 (voice) or 689-3116 (TDD).





Application for ADA Paratransit Service Certification

The Americans with Disabilities Act of 1990 (ADA) is a civil rights bill which bans discrimination against people with disabilities. To meet their needs, public bus companies must provide a variety of services.

If you have a disability which prevents you from using a lift-equipped Metro bus  some or all of the time, you may be eligible for ADA Paratransit Van service  some or all of the time.

All information will be kept confidential. Only the information required to provide the services you request will be disclosed to those who perform those services. Your answers will not be shared with any other person or company.

It is important that **all parts** of this form are completed. If the application is not complete, it will be returned to you and that will delay having your application processed.

Please use the envelope provided or return to:

Metro ADA Paratransit Certification
Accessible Services Section
821 Second Avenue, M.S. 134
Seattle, WA 98104-1598

If you have questions, please call 689-3113. TDD*: 689-3116

PLEASE PRINT

Last Name _____ First _____ Initial _____

Address _____ City _____ Zip _____

Date of Birth (month/day/year): ____/____/____ Male Female

Daytime Phone _____ Evening Phone _____

TDD* _____ Social Security # _____
(optional)

Language Ability (please check all that apply)

English Other (specify) _____

Emergency Contact Name _____ Relationship _____

Daytime Phone _____ Evening Phone _____



*Telecommunications Device for the Deaf

Date

Name

For Metro Use Only

A. MOBILITY INFORMATION

1. Which of these mobility aids or equipment do you use to help you get where you need to go? *(Please check all that apply to you.)*

- | | | |
|--------------------------------------|---|--|
| <input type="checkbox"/> None | <input type="checkbox"/> Manual wheelchair | <input type="checkbox"/> Service dog |
| <input type="checkbox"/> Cane | <input type="checkbox"/> Power wheelchair | <input type="checkbox"/> Picture board |
| <input type="checkbox"/> White cane | <input type="checkbox"/> Powered scooter/cart | <input type="checkbox"/> Alphabet board |
| <input type="checkbox"/> Walker | <input type="checkbox"/> Bus route ID kit | <input type="checkbox"/> Portable oxygen |
| <input type="checkbox"/> Crutches | | |
| <input type="checkbox"/> Other _____ | | |

2. Using a mobility aid or on your own, how many blocks can you go on level ground?

- less than 2 2 to 4 more than 4

3. If you were to ride the regular Metro bus  would you need someone with you?

- | | |
|--------------------------------------|---|
| <input type="checkbox"/> Always → | <input type="checkbox"/> To help me get to or from the bus stop |
| <input type="checkbox"/> Sometimes → | <input type="checkbox"/> To help me get on or off the bus |
| <input type="checkbox"/> No | <input type="checkbox"/> To help me when I get where I'm going |

4. Have you ever had any training to learn how to use a regular bus?

- | | |
|--------------------------------|---|
| <input type="checkbox"/> Yes → | The training was at: _____ |
| <input type="checkbox"/> No | I learned: <i>(Check all that apply to you)</i> |
| | <input type="checkbox"/> General bus travel |
| | <input type="checkbox"/> How to ride one or two specific routes |
| | <input type="checkbox"/> I finished the training |
| | <input type="checkbox"/> I did not complete the training |

5. If you are found eligible for paratransit van services, will you:

- Be able to meet the van at the curb?
- Need driver assistance from your door?
- Need driver assistance from the van to the door of your destination?

B. DISABILITY OR HEALTH CONDITION INFORMATION

(Please read pages 3 and 4 before completing this section, and indicate all conditions which affect your ability to use the bus.)

1. General Medical Conditions

- None
- Cancer Kidney Failure Pneumonia
- Diabetes Organ Transplant
- Other _____

2. Bone and Joint Conditions

- None
- Amputation of: Ankylosing Spondylitis Broken Bone:
_____ _____
(please specify) *(please specify)*
- Arthritis
- Fusion
- Osteo-arthritis
- Osteoporosis
- Rheumatoid Arthritis
- Scleroderma
- Other _____

3. Brain/Nerves/Muscle Conditions

- None
- Alzheimer's Disease Hemiplegia Post-polio
- Brain Injury Huntington's Chorea Quadriplegia
- Cerebral Palsy Multiple Sclerosis Spina Bifida
- Dementia Muscular Dystrophy Stroke
- Epilepsy Paraplegia Vertigo/Dizziness
- Guillian-Barre Parkinson's Disease
- Other _____

4. Heart and Circulatory Conditions

- None
- Angina Heart Attack Peripheral Vascular Disease
- Congestive Heart Failure Heart Surgery
- Edema High Blood Pressure
- Other _____

(more on next page)

5. Lung and Breathing Conditions

- None
- Allergies Chronic Obstructive Emphysema
- Asthma Pulmonary Disease (COPD) Lung Cancer
- Cystic Fibrosis
- Other _____

6. Vision/Hearing/Speech Conditions

- None
- Aphasia Glaucoma Hard of Hearing
- Cataracts Legally Blind Partially Sighted
- Deaf-Blind Deaf Visual Field Deficit
- Diabetic Retinopathy Night Blindness
- Other _____

7. Developmental/Mental Conditions

- None
- Autism Dwarfism Mood Disorder
- Developmental Disability: Mental Retardation: Psychosis
- Mild Mild Thought Disorder
- Moderate Moderate
- Severe Severe
- Other _____

8. Is your health condition or disability temporary?

Yes → How long do you expect it to last? # years _____

No → How long have you had this condition or disability?
 I don't know → Since birth # years _____

9. Does your disability or health condition change from time to time in ways which affect your ability to use the bus?

Yes → Please describe _____
 No _____

C. REGULAR BUS USE INFORMATION

(Please answer all questions even if you do not ride the regular Metro bus.)

1. Do you ride the regular Metro bus? 

Yes → How many days per week? _____
How many days per month? _____

- No
 No, but I used to ride the bus

2. Can you communicate with a bus driver yourself or with the help of an aid (such as a letter board or bus route ID cards)?

Yes
 No → *Please check all that apply.*

- I cannot understand the driver
 I need a communication aid and don't have one
 Other people cannot understand me
 Other _____

3. How many blocks do you need to go to get to a Metro bus stop?

- Less than 2 2 to 4 More than 4 Don't know

4. Using a mobility aid or on your own, can you make your way to the Metro bus stop?

Yes
 No → *Please check all that apply to you.*

- I can't find the stop because I get confused
 I need someone to help me get there
 I could with training
 I don't want to ride the Metro bus
 The ground is too uneven or steep for me to get there
 I can't go that far
 Snow or heavy rain make it impossible for me to get there
 Other _____

5. Can you wait 10 minutes at a Metro bus stop that does **not** have seats and a shelter?

Yes

No → *Please check all that apply to you.*

- I get too confused and might get lost
- I don't like to wait that long
- Standing for 10 minutes makes me too tired to ride the bus
- Very cold weather is dangerous to my health
- Very hot weather is dangerous to my health
- Other _____

No, but I could wait for 10 minutes at a stop which does have seats and a shelter

6. Metro buses have lifts to help you get on the bus if you have difficulty with steps. If you were to use the Metro bus lift, could you get on and off the lift by yourself (whether standing or with a mobility aid)?

I don't know, I've never tried it

Yes, I can get on and off by myself

Sometimes → *Please check all that apply.*

No →

- There isn't room at my bus stop
- The ground at my bus stop is too uneven or steep
- I feel unsafe on the lift
- My mobility aid won't fit on the lift
- I need someone to help me on and off
- Other _____

7. Do you know **where** to get off the bus or can you find out?

Yes

No → *Please check all that apply.*

- I get confused or can't remember where I'm going
- I don't know where the bus stop is
- I need a communication aid and don't have one
- I could with training
- Other _____

8. From where the bus stops to let you get off, can you make your way to the place you need to go?

Yes

No →

Please check all that apply.

- I get confused or can't remember where I'm going
- I need someone to help me get there
- I feel unsafe there
- I don't want to ride the Metro bus
- The ground is too uneven or steep for me to get there
- I can't walk that far
- I could with training
- Other _____

9. Are there any other conditions which limit your ability to use the bus?

Yes →

No

[more on next page]

D. Applicant Signature

Do Not Detach—must be submitted with application

1. I certify that the information I gave in this application is true and correct. I understand that falsification of information may result in denial of service. I understand all information will be kept confidential, and only the information required to provide the services I request will be disclosed to those who perform those services. I understand that Metro may contact the health care professional who has completed the Professional Verification attached to this application, in order to confirm this information.

Applicant Signature _____ Date _____

Please have page 9 completed before you send in this form!

2. Person completing form if other than applicant (please check one):

- I certify that the information provided in this application is true and correct based upon information given me by the applicant.
- I certify that the information provided in this application is true and correct based upon my own knowledge of the applicant's health condition or disability.

Exceptions or Additions: _____

Print Name _____

Signature _____ Daytime Phone _____

Relationship to Applicant _____ Date _____

Address _____

City _____ State _____ Zip Code _____

E. Professional Verification

NOTE: THIS PORTION MUST BE COMPLETED BY ONE OF THE FOLLOWING CURRENTLY LICENSED PROFESSIONALS: registered nurse, physician, social worker, psychologist, physical therapist, chiropractor, occupational therapist, speech pathologist, nurse practitioner, physician's assistant, mental health counselor, respiratory therapist, vocational rehabilitation counselor, or recreation therapist employed by a medical facility.

The Americans with Disabilities Act of 1990 (ADA) is a civil rights bill which bans discrimination against people with disabilities. To meet their needs, public bus companies must provide a variety of services.

The applicant may be found eligible for paratransit van services for all trips he/she requests, or eligible (based on functional ability) for some trip requests but not for others, or capable of using the regular bus.

NOTE: Most Metro buses are equipped with a lift for people who use a wheelchair or cannot climb stairs.

The information you provide will enable us to make an appropriate determination for each trip request. All information will be kept confidential. Thank you for your assistance.

Capacity in which you know the applicant: _____

Physical and/or cognitive condition which functionally prevents use of lift-equipped bus: _____

Is this condition temporary? No Yes, for _____ months

I have reviewed all of the information contained in this application, and hereby certify that all information is true and correct to the best of my knowledge and ability.

Exceptions or Additions: _____

Print Name and Title _____

Signature _____ Date _____

Clinic/Agency _____ Phone _____

Address _____ City _____ Zip _____

Professional License, Registration or Certification # _____

EVERGREEN MEDICAL CENTER TRANSIT ACCESS PROJECT
ADA PARATRANSIT SERVICE ELIGIBILITY DETERMINATION

Name _____
SSN _____ DOB _____ Date _____

A. Determination

- Not eligible (Skip to E)
- Eligible (Skip C)
 - regular
 - temporary ___ 3 ___ 6 ___ 9 ___ 12 months
- Conditionally eligible (complete all section)
 - regular
 - temporary ___ 3 ___ 6 ___ 9 ___ 12 months

B. Type of Eligibility

- 1. Unable to independently board, ride or disembark from lift-equipped bus
- 2. Able to independently board, ride or disembark from lift-equipped bus, but route desired is not lift-equipped
- 3. Specific impairment-related condition prevents travel to/from a bus stop

C. Eligibility Conditions which apply to a specific trip request

- 1. You require a Personal Care Attendant
- 2. No accessible bus service is available
- 3. Distance plus disability prevent using bus
- 4. Hill, terrain, etc., prevent using bus
- 5. Very hot weather
- 6. Very cold weather
- 7. Hours of darkness
- 8. Snow, or very icy conditions
- 9. Duration/complexity of regular bus trip
- 10. You have not had bus travel training
- 11. Extremely poor air quality
- 12. Able to transport oversized mobility aid

D. Travel Training

- Not recommended
- Recommended:
 - Route-specific
 - General bus travel
 - Boarding/disembarking

E. Comments

F.

Evaluator _____ Date _____
Coordinator _____ Date _____

PHYSICAL FUNCTIONAL EVALUATION

Name _____ Evaluator _____
 Date _____ Age _____ DOB _____ Phone _____
 Address _____
 Transportation Mode _____ SSN# _____
 Mobility Aides _____ Vision _____
 Auxillary Aides _____ Hearing _____

(1=pass, 2=incorrect, 3= not tested)

1. Distance:

Do not evaluate if BP is 200/105 or O₂ saturation rate 88.

Discontinue if BP increases to 250/110, HR 75% of maximum for age, or if O₂ sat. rate drops suddenly. 75% maximum for age _____.

	Resting	330 Feet	660 Feet	
HR	_____	_____	_____	1 2 3
BP	_____	_____	_____	1 2 3
O ₂ Sat.	_____	_____	_____	1 2 3
Time	_____	_____	_____	1 2 3

(Pass= Able to travel 660 feet within 8 minutes within vital guidelines)

COMMENTS: _____ 1 2 3

2. Curbs and Curb cuts:

A. Able to maneuver independently

1) Up 6" curb 1 2 3

2) Down 6" curb 1 2 3

B. Able to maneuver independently

1) Up curb cut 1 2 3

2) Down curb cut 1 2 3

(Pass = 2/2 correct from A or B)

COMMENTS: _____ 1 2 3

3. Timed Street Crossing:

A. Able to complete in 50 seconds 1 2 3

COMMENTS: _____ 1 2 3

4. Mobility Device:

A. Measurement: _____ 1 2 3

(Pass= device does not exceed 30" width, 48" length)

B. Weight: _____ 1 2 3

(Pass= device and client combined do not exceed 600 pounds)

COMMENTS: _____ 1 2 3

5. Mock-up:

- A. Time for lift/stairs portion: _____ 1 2 3
(Pass= Able to complete in 3:00 or less.)
- B. Time for interior portion: _____ 1 2 3
(Pass= Able to complete in 3:00 or less.)
(Pass= Able to complete both A & B within 5:00 minutes)

Observations:

- | | | |
|---|---|---|
| Moves on/off lift independently | Y | N |
| Moves up/down stairs independently | Y | N |
| Maintains balance | Y | N |
| Uses handrails | Y | N |
| Seats self-independently | Y | N |
| Maneuvers to the tie-down independently | Y | N |

COMMENTS: _____ 1 2 3

General Observations:

Physical assistance for:

- ___ Endurance
___ Strength
___ Balance
___ Coordination
___ Other _____

Verbal cues for:

- ___ Safety
___ Technique
___ Other _____

Determination:

- | | |
|------------------|----------------------------|
| ___ Not eligible | ___ Conditionally Eligible |
| ___ Eligible | ___ Temporarily Eligible |

Evaluator: _____

COGNITIVE FUNCTIONAL EVALUATION

Name _____ Evaluator _____
Date _____ Age _____ DOB _____ Phone _____
Address _____
Transportation Mode _____ SSN# _____
Mobility Aides _____ Vision _____
Auxillary Aides _____ Hearing _____

(1=pass, 2=fail, 3=not tested)

1. Orientation:

- A. What is your address? _____ 1 2 3
- B. Without looking at a clock, tell me what time it is now _____ 1 2 3
(Correct= within 1 hour)
- C. Where are you right now? _____ 1 2 3
- D. How did you get here? _____ 1 2 3
- COMMENTS: _____ 1 2 3

2. Safety:

- A. If you were lost, what would you do? _____ 1 2 3
(Correct= ask someone nearby for help or call someone)
- B. What is your telephone number? _____ 1 2 3
- C. Able to dial number or direct someone to assist them _____ 1 2 3
- COMMENTS: _____ 1 2 3

3. Number Recognition: (3 seconds per slide)

- A. You need to catch Route 2. Ring the bell when you see bus #2 _____ 1 2 3
- B. You need to catch Route 26. Ring the bell when you see bus #26 _____ 1 2 3
- C. You need to catch Route 235. Ring the bell when you see bus #235 _____ 1 2 3
- COMMENTS: _____ 1 2 3

4. A. Information obtained from phone call:

- 1) What bus number do you catch? _____ 1 2 3
- 2) Where will you catch the bus? _____ 1 2 3
- 3) What time do you need to catch the bus? _____ 1 2 3

B. Information obtained from written or taped note:

- 1) What bus number do you catch? _____ 1 2 3
 - 2) Where will you catch the bus? _____ 1 2 3
 - 3) What time do you need to catch the bus? _____ 1 2 3
- (Pass = 3/3 correct from A or B)

COMMENTS: _____ 1 2 3

5. Route Finding:

- A. Initiates activity within 2 minutes _____ 1 2 3
B. Able to find route _____ 1 2 3
C. Able to find way back _____ 1 2 3
D. Completes entire route within 20 minutes _____ 1 2 3
COMMENTS: _____ 1 2 3

6. Safety Street Crossing:

- A. Looks both ways for traffic _____ 1 2 3
B. Crosses in crosswalk area _____ 1 2 3
COMMENTS: _____ 1 2 3

7. Retention of Route Information:

- A. What bus number do you catch? _____ 1 2 3
B. Where will you catch the bus? _____ 1 2 3
C. What time will you need to catch the bus? _____ 1 2 3
COMMENTS: _____ 1 2 3

Determination:

_____ Not eligible

_____ Eligible

_____ Conditionally eligible

_____ Temporarily eligible

EVALUATORS: _____

COMBINED FUNCTIONAL EVALUATION

Name _____ Evaluator _____
Date _____ Age _____ DOB _____ Phone _____
Address _____
Transportation Mode _____ SSN# _____
Mobility Aides _____ Vision _____
Auxillary Aides _____ Hearing _____

(1=pass, 2=fail, 3=not tested)

*NOTE: Take resting vitals at this time

1. Orientation:

- A. What is your address? _____ 1 2 3
B. Without looking at a clock, tell me what time it is now _____ 1 2 3
(Correct= within 1 hour)
C. Where are you right now? _____ 1 2 3
D. How did you get here? _____ 1 2 3
COMMENTS: _____ 1 2 3

2. Safety:

- A. If you were lost, what would you do? _____ 1 2 3
(Correct= ask someone nearby for help or call someone)
B. What is your telephone number? _____ 1 2 3
C. Able to dial number or direct someone to assist them _____ 1 2 3
COMMENTS: _____ 1 2 3

3. Number Recognition: (3 seconds per slide)

- A. You need to catch Route 2. Ring the bell when you see bus #2 _____ 1 2 3
B. You need to catch Route 26. Ring the bell when you see bus #26 _____ 1 2 3
C. You need to catch Route 235. Ring the bell when you see bus #235 _____ 1 2 3
COMMENTS: _____ 1 2 3

4. Obtaining Route Information:

A. Information obtained from phone call:

- 1) What bus number do you catch? _____ 1 2 3
2) Where will you catch the bus? _____ 1 2 3
3) What time do you need to catch the bus? _____ 1 2 3

B. Information obtained from written or taped note:

- 1) What bus number do you catch? _____ 1 2 3
2) Where will you catch the bus? _____ 1 2 3
3) What time do you need to catch the bus? _____ 1 2 3

(Pass = 3/3 correct from A or B)

COMMENTS: _____ 1 2 3

5. **Mobility Device:**
- A. Measurement: _____ 1 2 3
(Pass= device does not exceed 30" width, 48" length)
- B. Weight: _____ 1 2 3
(Pass= device and client combined do not exceed 600 pounds)
- COMMENTS: _____ 1 2 3

6. **Mock-up:**
- A. Time for lift/stairs portion: _____ 1 2 3
(Pass= Able to complete in 3:00 or less.)
- B. Time for interior portion: _____ 1 2 3
(Pass= Able to complete in 3:00 or less.)
(Pass= Able to complete both A&B within 5:00 minutes)

Observations:

- Moves on/off lift independently Y N
- Moves up/down stairs independently Y N
- Maintains balance Y N
- Uses handrails Y N
- Seats self-independently Y N
- Maneuvers to the tie-down independently Y N
- COMMENTS: _____ 1 2 3

7. **Route Finding:**
- A. Initiates activity within 2 minutes _____ 1 2 3
- B. Able to find route _____ 1 2 3
- C. Able to find way back _____ 1 2 3
- D. Completes entire route within 20 minutes _____ 1 2 3
- COMMENTS: _____ 1 2 3

8. **Distance:**
- Do not evaluate if BP is 200/105 or O₂ saturation rate 88.
- Discontinue if BP increases to 250/110, HR 75% of maximum for age, or if O₂ sat. rate drops suddenly. 75% maximum for age _____.
- | | Resting | 330 Feet | 660 Feet | |
|---------------------|---------|----------|----------|-------|
| HR | _____ | _____ | _____ | 1 2 3 |
| BP | _____ | _____ | _____ | 1 2 3 |
| O ₂ Sat. | _____ | _____ | _____ | 1 2 3 |
| Time | _____ | _____ | _____ | 1 2 3 |
- (Pass= Able to travel 660 feet within 8 minutes within vital guidelines)
- COMMENTS: _____ 1 2 3

9. Curbs and Curb cuts:

A. Able to maneuver independently

1) Up 6" curb 1 2 3

2) Down 6" curb 1 2 3

B. Able to maneuver independently

1) Up curb cut 1 2 3

2) Down curb cut 1 2 3

(Pass = 2/2 correct from A or B)

COMMENTS: _____ 1 2 3

10. Timed Street Crossing:

A. Looks both ways for traffic _____ 1 2 3

B. Crosses om crosswalk area _____ 1 2 3

C. Able to complete in 50 seconds _____ 1 2 3

COMMENTS: _____ 1 2 3

General Observations:

Physical assistance for:

___ Endurance

___ Strength

___ Balance

___ Coordination

___ Other _____

Verbal cues for:

___ Safety

___ Technique

___ Other _____

11. Retention of Route Information:

A. What bus number do you catch? _____ 1 2 3

B. Where will you catch the bus? _____ 1 2 3

C. What time will you need to catch the bus? _____ 1 2 3

COMMENTS: _____ 1 2 3

Determination:

___ Not eligible

___ Conditionally Eligible

___ Eligible

___ Temporarily Eligible

Evaluator: _____

Appendix J

**Sample Eligibility Material Developed by:
Washington Metropolitan Area Transportation Authority (WMATA)**

Materials included:

- **Application Form**
- **Professional Verification Form**
- **Reviewer Guidelines**





APPLICATION FOR CERTIFICATION OF AMERICANS WITH DISABILITIES ACT (ADA) PARATRANSIT ELIGIBILITY

Limited Service Starts March 1994

This form is for use by persons who wish to apply for eligibility for Washington metropolitan area ADA Paratransit service. Individuals with disabilities which prevent them from being able to use regular transit may be able to use the Washington Metropolitan Area Transit Authority (WMATA) ADA Paratransit service. Regular transit includes Metrorail, Metrobus and other fixed route bus service (Ride-On, The Bus, Connect-A-Ride, Fairfax Connector, RIBS, Tyson Shuttle, CUE Bus, DASH and Arlington Trolley). All Metrorail service is accessible to individuals with disabilities. And Metrobus service is accessible on an on-call basis, with lifts on buses. In the near future, there will be more accessible transit service in the Washington metropolitan area.

The information obtained in this certification process will only be used by WMATA to assess the applicant's eligibility and to provide transportation services.

**THIS APPLICATION IS AVAILABLE IN ALTERNATIVE FORMATS.
IF YOU NEED ASSISTANCE, PLEASE CALL (202) 962-2700
VOICE; (202) 962-2033.**

**ALL INFORMATION CONTAINED IN THIS
APPLICATION WILL BE KEPT CONFIDENTIAL**

APPLICATION FOR CERTIFICATION OF AMERICANS WITH DISABILITIES ACT (ADA) PARATRANSIT ELIGIBILITY

HOW TO APPLY FOR PARATRANSIT ADA ELIGIBILITY:

1. Read the brochure entitled *WMATA ADA Paratransit, the Americans With Disabilities Act and You*, which is available from WMATA and some local social service agencies.
2. Fill out Part A of this application if you believe you qualify.
3. Take or send the application (Parts A and B) to your health care professional to have Part B completed. Both Part A and Part B must be completed in order for your application to be considered.
4. Mail the completed application (Parts A and B) to WMATA, Department of ADA, 500 5th St., N.W., Washington, DC 20001.

Failure to completely fill out the application will delay the application process.

YOU WILL BE NOTIFIED ABOUT YOUR ELIGIBILITY

- WMATA will notify you of your eligibility.
- If you have not been notified within 21 days of submitting your application, call (202) 962-2700 Voice; (202) 962-2033 TDD. If a determination of your eligibility has not been made, you will be temporarily eligible for paratransit service.
- If you are denied eligibility, you have a right to appeal. Information on the appeals process will be sent to you. Call (202) 962-2700 Voice; (202) 962-2033 TDD for more information.

PART A - FOR THE APPLICANT TO COMPLETE

1. **WHO QUALIFIES:** Under the ADA regulations, there are three categories of persons who are eligible for ADA paratransit. Any individual with a disability qualifies who:
 1. Is unable, as the result of a physical or mental impairment, to get on, ride, or get off an accessible vehicle on the public transit system; or
 2. Needs the assistance of a wheelchair lift or other boarding assistance device and is able, with such assistance, to get on, ride, and get off an accessible vehicle **BUT** such a vehicle is not available on the route when the individual wants to travel; or
 3. Has a specific impairment-related condition (including vision, hearing or impairments causing disorientation) which prevents travel to or from a station or stop on the system.

Please check here if at least one of these categories applies to you.

If you qualify for the WMATA ADA Paratransit Service but reside outside the paratransit service area, you may still use the service for trips that start and end in the paratransit service area. It is the responsibility of the person who wants to use paratransit service to arrive within $\frac{3}{4}$ mile of the service area. (For further information, see the ADA service brochure or call the appropriate telephone number listed on page 4 for your local government.)

You may qualify for other specialized service provided by your local government, such as senior transit services, even if you are not eligible for WMATA ADA Paratransit Service.

PART A - FOR THE APPLICANT TO COMPLETE

If you live or want to travel in one of the following jurisdictions, you may wish to call the appropriate number for service or information.

District of Columbia	To be announced
Montgomery County, MD	(301) 468-4446 Voice; 468-4447 TDD
Prince George's County, MD	(301) 952-5656 Voice; 925-5167 TDD
Fairfax County, VA	(703) 324-7050 Voice; 324-7050 TDD
City of Fairfax, VA	To be announced
City of Alexandria, VA	(703) 838-3800 Voice; 838-5056 TDD
Arlington County, VA	(703) 358-5300 Voice; 358-4612 TDD
City of Falls Church, VA	(703) 241-5005 Voice; 241-5149 TDD

You may qualify for reduced fares on Metrobus and Metrorail even if you do not qualify for paratransit service. Call (202) 637-7000 Voice; (202) 638-3780 TDD for more information.

2. Name: _____

Address: _____

City: _____

State: _____ Zip Code _____

Home Telephone Number: (____) _____

Other Daytime Telephone Number: (____) _____

TDD: (____) _____

PART A - FOR THE APPLICANT TO COMPLETE

3. In case of an emergency, is there someone in the local area who should be notified (family, friend, neighbor, case worker, etc.)?

Yes No

Name: _____

Telephone Number: (____) _____

TDD: (____) _____

As you answer the following questions, please keep in mind that:

- You may be able to use accessible buses operating on fixed routes. Accessible buses have equipment (including ramps, lifts and other devices) to assist individuals with disabilities. Bus operators make stop announcements.
- Metrorail service is accessible to individuals with disabilities.

PART A - FOR THE APPLICANT TO COMPLETE

Check one box only:

4. A. I can get to and from a fixed route bus stop or Metrorail station.
4. B. I cannot get to and from a fixed route bus stop or Metrorail station.
4. C. I can get to and from a fixed route bus stop or Metrorail station only if (circle all that apply):
1. curb cuts have detectable warnings
 2. I have an attendant with me
 3. I need to travel less than _____ feet to or from the stop or station
 4. I am familiar with the area
 5. I receive travel training for the stops and stations I use
 6. the median strip is accessible
 7. there are curb cuts along the route to the stop
 8. there is a sidewalk
 9. the ground is level or only slightly inclined
 10. there are stairs with handrails at changes in level
 11. there are no stairs
 12. the path is free of ice or debris
 13. other _____
-

PART A - FOR THE APPLICANT TO COMPLETE

Check one box only:

5. A. I can generally wait outside at a fixed route bus stop or at an outside Metrorail station.

What is the maximum period you can wait outside? _____

5. B. I cannot wait outside at a fixed route bus stop or at an outside Metrorail station.

5. C. I can wait outside at a fixed route bus stop or at an outside Metrorail station only if (circle all that apply):

1. there is a bench
2. there is a shelter
3. the wait is no longer than _____ minutes
4. other _____

6. A. Will you use any of the following when you ride paratransit? Yes No If yes, check all that apply:

- | | |
|--|---|
| <input type="checkbox"/> Manual wheelchair | <input type="checkbox"/> Service animal |
| <input type="checkbox"/> Cane | <input type="checkbox"/> Powered wheelchair |
| <input type="checkbox"/> Oxygen Bottle | <input type="checkbox"/> White cane |
| <input type="checkbox"/> Powered scooter | <input type="checkbox"/> Prothesis |
| <input type="checkbox"/> Walker | <input type="checkbox"/> Communications board |
| <input type="checkbox"/> Transfer board | <input type="checkbox"/> Crutches |
| <input type="checkbox"/> Hearing Aid | <input type="checkbox"/> Boarding chair |
| <input type="checkbox"/> Other _____ | |

Your answer to this question will ensure that appropriate paratransit service is provided.

PART A - FOR THE APPLICANT TO COMPLETE

6. B. If you use a wheelchair, is it less than 30 inches wide by 48 inches long and does it weigh less than 600 pounds when your weight is added? Yes No

Check one box only:

7. A. I can independently recognize my destination and leave the vehicle.
7. B. I cannot independently recognize my destination and leave the vehicle.
7. C. I can recognize my destination and leave the vehicle only if (circle all that apply):
1. I receive travel training
 2. the driver announces my stop
 3. other _____

Check one box only:

8. A. I can ride on an accessible bus operating on a fixed route.
8. B. I cannot ride on an accessible bus operating on a fixed route.
8. C. I can ride on an accessible bus operating on a fixed route only if (circle all that apply):
- | | |
|------------------------------------|--|
| 1. I have an attendant with me | 4. every bus on my route is accessible |
| 2. I am familiar with the route | 5. a seat is available |
| 3. I have received travel training | 6. other _____ |

PART A - FOR THE APPLICANT TO COMPLETE

Check one box only:

9. A. I can use Metrorail.

9. B. I cannot use Metrorail.

9. C. I use Metrorail only if (circle all that apply):

1. I have an attendant with me

2. I am familiar with the route

3. I have received travel training

4. there are no stairs

5. there are stairs with handrails at changes in level

6. the elevators are working

7. a seat is available

8. my stop is clearly and audibly announced

9. other _____

10. A. Do you require a Personal Care Attendant when you travel? Yes No

If you use a wheelchair or a scooter, please answer 10. B. and 10. C.

10. B. Can you transfer to a car? Yes No Sometimes

10. C. Are you willing to transfer? Yes No

Your responses will not affect your eligibility to use paratransit.

PART A - FOR THE APPLICANT TO COMPLETE

11. Please check here if you are interested in travel training. Travel training may help you to use the fixed route bus and Metrorail systems for specific routes or for all routes. Travel training professionals may be available to work with you. For more information about travel training, call (202) 962-2700 Voice; (202) 962-2033 TDD.

12. How does your disability affect your ability to use transportation? (Please provide any information that would help.)

The REQUEST FOR PROFESSIONAL CERTIFICATION (Part B attached) must be filled out by an appropriate health care professional.

WHO CAN CERTIFY: If your disability prevents you from using fixed route service, one of the following health care professionals, *as appropriate to your case*, may be able to certify you as ADA eligible.

13. The following health care professional is authorized to provide information to WMATA that is required to complete this certification, including Part B, and any clarifications required by WMATA.

(Clearly print the name of the health care professional who will be certifying your application and check the type of health care professional he or she is.)

Name _____

- | | |
|--|--|
| <input type="checkbox"/> Licensed physician | <input type="checkbox"/> Certified audiologist |
| <input type="checkbox"/> Licensed physical therapist | <input type="checkbox"/> Certified psychologist |
| <input type="checkbox"/> Certified rehabilitation specialist | <input type="checkbox"/> Nurse (LPN or RN) |
| <input type="checkbox"/> Licensed social worker | <input type="checkbox"/> Registered occupational therapist |
| <input type="checkbox"/> Licensed optometrist | <input type="checkbox"/> Certified speech pathologist |

PART A - FOR THE APPLICANT TO COMPLETE

14. I hereby certify that to the best of my knowledge the information given above is correct and I authorize the health care professional named in item #13 to provide information to WMATA.

Signature of Applicant _____

Date _____

15. If you are not the applicant but have completed this application on the applicant's behalf, you must provide the following information:

Your name _____

Address _____

City _____ State _____ Zip _____

Daytime Phone Number (____) _____

Relationship to applicant _____

I certify that to the best of my knowledge the information given above is correct.

Signed _____ Date _____

WHEN YOU HAVE COMPLETED PART A,

Take or mail Parts A and B to the health care professional named in item #13.

When Part B has been completed, mail Parts A and B to WMATA, Department of ADA, 600 5th Street, N.W., Washington, DC 20001.

PART B - REQUEST FOR PROFESSIONAL ADA CERTIFICATION

(Please print or write legibly)

You are being asked by the applicant named in Part A to provide information regarding his/her ability to use our transit services. The Washington metropolitan area fixed route transit systems will provide paratransit services to persons who cannot use fixed route transit services. The information you provide will allow us to evaluate the request and to provide service for specific trip requests. Thank you for your cooperation in this matter.

To qualify for paratransit service, the applicant must be unable to use regular transit service due to a physical or mental disability. Regular transit includes Metrorail, Metrobus and other fixed route bus service (for example, DASH, Ride On, The Bus). All Metrorail service is accessible to individuals with disabilities, and Metrobus service is accessible on an on-call basis, with lifts on buses. In the near future, there will be more accessible transit service in the Washington metropolitan area.

Individuals qualify for paratransit service if:

- 1. as a result of their disabilities, they cannot get on, ride, or get off a lift-equipped fixed route bus or Metrorail vehicle; and/or**
- 2. they have specific impairment-related conditions which prevent them from getting to or from a fixed route bus stop or Metrorail station.**

Please note: This does not include persons who find it uncomfortable or difficult to get to and from fixed route bus stops or Metrorail stations.

Please be certain to base your evaluation solely upon the applicant's ability to use regular transit.

Your certification should consider only the presence of a disabling condition.

PART B - REQUEST FOR PROFESSIONAL ADA CERTIFICATION (cont.)

CERTIFICATION PROCESS:

These are the steps of the certification process.

1. The applicant (or representative) has completed Part A. Please read Part A in its entirety.
 2. In completing Part B, please follow the listed criteria.
 3. You may be contacted if any questions remain.
 4. The application must be filled out **COMPLETELY** or it will not be processed.
 5. Return the completed application to the applicant within 7 days of receipt. The applicant will mail the entire application to the Washington Metropolitan Area Transit Authority (WMATA).
 6. A determination of the applicant's eligibility will be made by WMATA within 21 days following receipt of the application.
 7. If you have any questions, you may call WMATA at (202) 962-2700 Voice; (202) 962-2033 TDD.
-

1. I have read Part A in its entirety. Yes No
2. I agree with the information in Part A. Yes No

If no, please explain:

**PART B - REQUEST FOR
PROFESSIONAL ADA CERTIFICATION (cont.)**

3. Condition causing disability: _____

4. Severity: Mild Moderate Severe Profound

5. Expected duration of disability:

Temporary: Expected duration until _____/_____/_____

Long-term: Conditions with potential for improvement or long periods of remission.

Permanent: Conditions with no expectation of improvement.

6. Is there any other effect(s) of the disability that WMATA should be aware of? If so, please provide the information here. (Please print or type.)

PART B - REQUEST FOR PROFESSIONAL ADA CERTIFICATION (cont.)

7. CONCLUSION:

There are three categories of eligibility described in Part A of this application on page 3. You may conclude that the applicant can be included in one of these categories, or that he/she is not eligible for the WMATA Paratransit Program. (Please check the boxes that apply.)

It is my professional opinion that the applicant,
_____, has a disability and the applicant
(print name of applicant)

(check all that apply):

- A. Has a specific impairment-related condition which prevents the applicant from traveling to or from Metrorail stations or fixed route bus stops. Yes No

- B. Needs the assistance of a wheelchair lift or other boarding assistance device and is able, with such assistance, to get on, ride, and get off vehicles which are accessible to and usable by individuals with disabilities. Yes No

- C. Is unable, as the result of a physical (including a vision impairment) or mental impairment, and without the assistance of another individual (except the operator of a wheelchair lift or other boarding assistance device), to get on, ride, or get off vehicles on the transit system which are accessible to and usable by individuals with disabilities. Yes No

**PART B - REQUEST FOR
PROFESSIONAL ADA CERTIFICATION (cont.)**

8. I hereby certify that the above information is true. I understand that false certification may be reported to the licensing jurisdiction under the District of Columbia Code Annotated, Section 2-3305.15, Code of Virginia 54.1-2915, or Maryland Health Occupations Code Annotated 14-404 or appropriate code for state of license/certification.

Signature

Date

Print Name

Street Address

City

State

Zip

(_____) _____
Telephone Number

License/Certification Number

State

Profession (check one):

- | | |
|--|--|
| <input type="checkbox"/> Licensed physician | <input type="checkbox"/> Certified audiologist |
| <input type="checkbox"/> Licensed physical therapist | <input type="checkbox"/> Certified psychologist |
| <input type="checkbox"/> Certified rehabilitation specialist | <input type="checkbox"/> Nurse (LPN or RN) |
| <input type="checkbox"/> Licensed social worker | <input type="checkbox"/> Registered occupational therapist |
| <input type="checkbox"/> Licensed optometrist | <input type="checkbox"/> Certified speech pathologist |

THANK YOU FOR YOUR ASSISTANCE!

Please return this application to the person seeking ADA certification.

FORWARD AND DEFINITIONS
WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY (WMATA)
PARATRANSIT ELIGIBILITY STANDARDS GUIDE

This Eligibility and Standards Guide has been designed expressly for the Washington Metropolitan Area Transit Authority (WMATA) as a tool which will assist in determining the "ADA Eligibility" of applicants who wish to use complementary paratransit service. This guide has been copyrighted by REELife Solutions, and may only be used and duplicated by WMATA, and those transit entities which comprise WMATA.

The following is a key which defines the terms used in this guide:

Category 1: (Paraphrased) An individual with a disability is ADA paratransit eligible if s/he is unable, as the result of a physical or mental impairment, to board, ride, or disembark from an accessible vehicle... without the assistance of another individual (except the operator of a wheelchair lift or other boarding assistance device).

Category 2: (Paraphrased) An individual with a disability is ADA paratransit eligible if s/he needs the assistance of a wheelchair lift or other boarding assistance device and is able, with such assistance, to board, ride, and disembark from an accessible vehicle... but an accessible vehicle is not available, on the regular system route, to the individual during regular hours of operation.

Category 3: (Paraphrased) An individual is ADA paratransit eligible if s/he has a specific impairment-related condition which prevents her/him from traveling to a boarding location, or from a disembarking location on the regular system.

Trip by Trip:

If an individual meets the eligibility criteria of this section with respect to some trips, but not others, the individual shall be ADA paratransit eligible only for those trips for which s/he meets the criteria.

Possible Ineligibility (P.I.): This category indicates that the applicant may not be eligible for paratransit due to the fact that s/he is capable of utilizing an optional transit system (i.e. fixed route bus or metrorail).

Personal Care Attendant (PCA): This category implies is that the applicant can only use public transit with the assistance of another individual. Therefore, the applicant would be eligible for paratransit under Category 1. This is an individual who assists the applicant during transport. The PCA shall not be charged for complementary paratransit service.

Accessible Bus (ACC BUS): This category implies that the applicant may be able to ride the fixed route system if every bus on her/his route is accessible.

Travel Training (TG): This category implies that an applicant may be able to use fixed route service if individualized travel training is provided to that individual for a particular trip.

Transfer (TRANS): This category indicates that the applicant is able to and/or willing to board a vehicle which is not lift-equipped (i.e. taxicab).

Not Able to Transfer (NO TRANS): This category indicates that the applicant is not able to and/or not willing to board a vehicle which is not lift-equipped.

Not Eligible (NOT ELIG): This category indicates that the applicant is not eligible to receive paratransit service because either s/he uses a wheelchair which cannot be accommodated on the available lifts, or it is the professional's opinion that the applicant is not "ADA Eligible".

ELIGIBILITY STANDARDS GUIDE

-PART A-

APPLICANT

<u>QUESTION RESPONSE</u>	<u>REVIEWER ACTION</u>	<u>ELIGIBILITY CATEGORY</u>				
		1	2	3	Trip by Trip	P.I.
1. Who Qualifies?	<p>If the box is checked, continue with the review.</p> <p>If the box not checked, continue with the review - the applicant may have misunderstood the question.</p>					
2. Personal Information	<p>Check all information for legibility and completeness. If unclear, contact for clarification.</p>					
3. Emergency Contact	<p>Check for legibility and completeness. If unclear, contact for clarification. This information is not required, but if it is provided, be sure it is legible.</p>					

QUESTION RESPONSE	REVIEWER ACTION	ELIGIBILITY CATEGORY				
		1	2	3	Trip by Trip	P.I.
4. Get To & From						
A. I Can...	If this box is checked, the applicant may not be eligible under Category 3. Mark the P.I. box.					
B. I Cannot...	If this box is checked, the applicant may be eligible under Category 3. Mark the box.					
C. I Can Only If...	If #s 1, 2, or 3 (less than 101 ft.) are circled, mark Category 3.					
	If #s 4 or 5 are circled, then the applicant may be eligible for travel training and/or trip by trip services. Mark Categories T and TG.				T T G	
	If #s 6, 7, 8, 9, 10, 11 or 12 are circled, then you must determine if the facility is under the control of the Transit Authority. If yes, then mark Category T and notify Plant Maintenance. If no, then leave blank.				T	
	If #13 is circled, then this application may need to be referred out. If you are unable to make a determination, circle "Referral".	REFERRAL				

TOTAL COLUMNS

Referral				
Referral	3	T T G	P.I.	

Highlight any box which totals 1 or more.

QUESTION RESPONSE	REVIEWER ACTION	ELIGIBILITY CATEGORY				
		1	2	3	Trip by Trip	P.I.
5. Wait Outside?						
A. I Can...	If this box is checked and the maximum period is more than 1 (one) hour, mark the P.I. box.					
B. I Cannot...	If this box is checked, the applicant may be eligible under Category 3. Mark the box.					
C. I Can Only If...	If #s 1 or 2 are circled, mark Category T and notify Plant Maintenance.					
	If #3 is circled, and the wait is longer than 30 minutes, mark Category T.					
	If #4 is circled, then this application may need to be referred out. If you are unable to make a determination, circle "Referral".	REFERRAL				

TOTAL COLUMNS

Referral			
Referral	3	T	P.I.

Highlight any box which totals 1 or more.

<u>QUESTION RESPONSE</u>	<u>REVIEWER ACTION</u>	<u>ELIGIBILITY CATEGORY</u>				
		1	2	3	Trip by Trip	P.I.
6. Mobility Aids						
A. When You Ride...	Skip to Question B.					
B. Wheelchair Dimensions	If this box is checked "NO", the chair is not considered a "common wheelchair," and therefore service which requires a lift may be refused. Mark the P.I. box.					

TOTAL COLUMNS

				NOT ELIG

Highlight this box if it totals 1.

QUESTION RESPONSE	REVIEWER ACTION	ELIGIBILITY CATEGORY				
		1	2	3	Trip by Trip	P.I.
7. Recognize & Leave						
A. I Can...	If this box is checked, the applicant may not be eligible under Categories 1 or 3. Mark the P.I. box.					
B. I Cannot...	If this box is checked, the applicant may be eligible under Categories 1 or 3. Mark Categories 1 and 3.					
C. I Can Only If...	If #1 is circled, mark Category TG. [Note: Travel training may be offered.]				TG	
	If #2 is circled, mark the P.I. box.					
	If #3 is circled, then this application may need to be referred out. If you are unable to make a determination, circle "Referral."	REFERRAL				

TOTAL COLUMNS

	Referral <input type="checkbox"/>			
1	Referral	3	TG	P.I.

Highlight any box which totals 1 or more.

<u>QUESTION RESPONSE</u>	<u>REVIEWER ACTION</u>	<u>ELIGIBILITY CATEGORY</u>				
		1	2	3	Trip by Trip	P.I.
8. Accessible Bus						
A. I Can...	If this box is checked, the applicant may not be eligible under Category 1. Mark the P.I. box.					
B. I Cannot...	If this box is checked, the applicant may be eligible under Category 1. Mark the box.					
C. I Can Only If...	If #1 is circled, mark Category 1.					
	If #s 2 or 3 are circled, then the applicant may be eligible for travel training and/or trip by trip services. Mark Categories T and TG.				T T G	
	If #4 is circled, mark Category 2.					
	If #5 is circled, mark the P.I. box.					
	If #6 is circled, then this application may need to be referred out. If you are unable to make a determination, circle "Referral."	REFERRAL				

TOTAL COLUMNS

		Referral <input type="checkbox"/>		
1	2 ACC BUS	Referral	T T G	P.I.

Highlight any box which totals 1 or more.

QUESTION RESPONSE	REVIEWER ACTION	ELIGIBILITY CATEGORY				
		1	2	3	Trip by Trip	P.I.
9. Metrorail						
A. I Can...	If this box is checked, the applicant may not be eligible under Categories 1 or 2. Mark the P.I. box.					
B. I Cannot...	If this box is checked, the applicant may be eligible under Category 1. Mark the box.					
C. I Can Only If...	If #1 is circled, mark Category 1.					
	If #s 2 or 3 are circled, then the applicant may be eligible for travel training and/or trip by trip services. Mark Categories T and TG.				T T G	
	If #s 4 or 5 are circled, mark Category T and notify Plant Maintenance				T	
	If #s 6, 7, or 8 are circled, mark the P.I. box.					
	If #9 is circled, then this application may need to be referred out. If you are unable to make a determination, circle "Referral."	REFERRAL				

TOTAL COLUMNS

Highlight any box which totals 1 or more.

	Referral			
1	Referral	T T G		P.I.

QUESTION RESPONSE	REVIEWER ACTION	ELIGIBILITY CATEGORY				
		1	2	3	Trip by Trip	P.I.
10. Travel						
A. Personal Care Attendant (PCA)?	If the "YES" box is checked, the applicant may be eligible under Category 1. Mark the box.					
B. Can You Transfer?	If the "YES" box is checked, mark the "TRANS" box.				T R A N S	
	If the "NO" box is checked, mark the "NO TRANS" box.				N O T R A N S	
C. Willing to Transfer?	If the "YES" box is checked, mark the "TRANS" box.				T R A N S	
	If the "NO" box is checked, mark the "NO TRANS" box.				N O T R A N S	

TOTAL COLUMNS

1 PCA			T R A N S	T R A N S

Highlight any box which totals 1 or more.

<u>QUESTION RESPONSE</u>	<u>REVIEWER ACTION</u>	<u>ELIGIBILITY CATEGORY</u>				
		1	2	3	Trip by Trip	P.I.
11. Travel Training						
Do You Want...	If this box is checked, look to see if the "TG" box is highlighted on pages 2, 5, 6, and/or 7. If the above is true, mark the box.				TG	

TOTAL COLUMNS

			TG	

Page 9

Highlight this box if it totals 1.

<u>QUESTION RESPONSE</u>	<u>REVIEWER ACTION</u>	<u>ELIGIBILITY CATEGORY</u>				
		1	2	3	Trip by Trip	P.I.
12. Effects of Disability...	Read in order to assist with your decision.					
13. Who Can Certify...	Check the name to make sure it is legible.					
14. Signature...	Check that the application is signed and dated. If it is not signed, the application may have been completed by someone other than the applicant, so check for question 15.					
15. Completed on Applicant's Behalf...	If question 14 is not signed, the other person would have to fill in the information in question 15. Check that the information is complete, legible, and that there is a signature and date.					

ELIGIBILITY STANDARDS GUIDE

-PART B-

PROFESSIONAL VERIFICATION

<u>QUESTION RESPONSE</u>	<u>REVIEWER ACTION</u>	<u>ELIGIBILITY CATEGORY</u>				
		1	2	3	Trip by Trip	P.I.
1. I have read Part A in its entirety.	This box must be checked "YES" to continue review.					
2. I agree with the information...	If the box is checked "YES", continue the review.					
	Even if the box is checked "NO", the applicant may still be eligible under Category 1. Read the information provided. If and only if the described effects prevent the applicant from riding an accessible bus or Metrorail, mark the box.					
	Even if the box is checked "NO", the applicant may still be eligible under Category 3. Read the information provided. If and only if the described effects prevent the applicant from getting to or from a bus or Metrorail stop, mark the box.					
3. Condition causing...	Continue the review.					
4. Severity	Check that one severity is indicated.					
5. Expected duration	Check that one duration is indicated. If the condition is temporary, check that a duration date is included. Write date on cover, under "Notes".					
6. Other effect(s)...	Continue the review.					

TOTAL COLUMNS

1	3	3	3	3

<u>QUESTION RESPONSE</u>	<u>REVIEWER ACTION</u>	<u>ELIGIBILITY CATEGORY</u>				
		1	2	3	Trip by Trip	P.I.
The applicant	Check that the name of the applicant is legible; if not, contact the professional.					
A. Impairment related condition...	If the "YES" box is checked, the applicant may be eligible under Category 3. Mark the box.					
B. Needs assistance of lift...	If the "YES" box is checked, the applicant may be eligible under Category 2. Mark the box. [Note: If this is marked, the applicant may be able to ride a 100% accessible route.]					
C. Is unable...	If the "YES" box is checked, the applicant may be eligible under Category 1. Mark the box.					
All marked "NO"	If A, B, and C are all marked "NO", the applicant is not eligible. Mark the P.I. box.					

TOTAL COLUMNS

1	2	3		NOT ELIG

Highlight any box which totals 1.

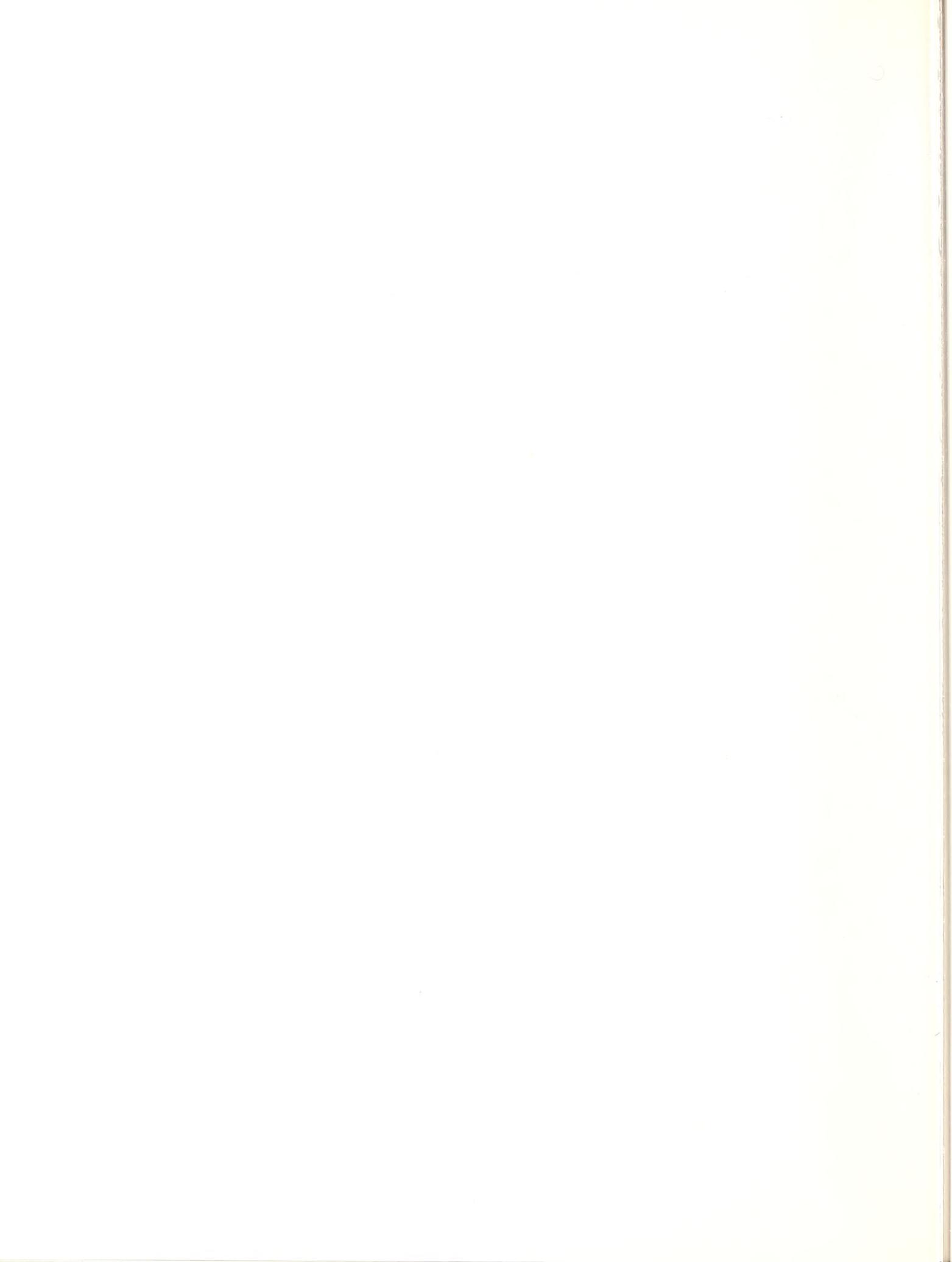
<u>QUESTION RESPONSE</u>	<u>REVIEWER ACTION</u>	<u>ELIGIBILITY CATEGORY</u>				
		1	2	3	Trip by Trip	P.I.
8. Professional information.	<p>Check that all information is included and is legible. It may be necessary to contact the professional again.</p> <p>Check that there is a signature, a certification number, and a date. If any of the above are missing, contact professional.</p>					

Appendix K

**Sample Eligibility Material Developed by:
Delaware Administration for Specialized Transportation (DAST)**

Materials included:

- **Application Form**
- **Professional Verification Form**



**AMERICANS WITH DISABILITIES ACT
ADA
PARATRANSIT ELIGIBILITY
APPLICATION**



**DELAWARE ADMINISTRATION FOR
SPECIALIZED TRANSPORTATION**

P.O. BOX 1347

DOVER, DE 19903-1347

(302) 739-3278

1-800-553-3278

1-800-252-1600/TDD



DELDOT

REQUEST FOR CERTIFICATION OF ADA PARATRANSIT ELIGIBILITY

DELAWARE ADMINISTRATION FOR SPECIALIZED TRANSPORTATION DAST

The Americans with Disabilities Act (ADA) requires that disabled individuals be guaranteed access to transportation services. DAST's paratransit services are provided for disabled persons unable to use fixed route services.

HOW TO APPLY FOR DAST PARATRANSIT ADA ELIGIBILITY:

1. Fill out PART A of this application.
2. Take or send the application to your health care professional to have PART B completed.
3. Mail the completed application to DAST, P.O. Box 1347, Dover, DE 19903-1347.
4. DAST will notify you as to your eligibility status.
5. If you have not heard about your eligibility status within 21 days of submitting your application, please call (302) 739-3278/TDD 1-800-252-1600. If a determination has not yet been made, you will be temporarily eligible.
6. If you are denied eligibility, you will have a right to appeal the eligibility decision. Please contact DAST for details on the appeals process.

PART A - APPLICANT

1. **NAME OF APPLICANT** _____

2. **ADDRESS** _____

CITY _____ **STATE** _____ **ZIP** _____

If address is a P.O. Box or RD #, please give street address, road number, and etc.:

3. **TELEPHONE NUMBER (Home)** (____) _____

Other Daytime Telephone Number (____) _____

4. **DATE OF BIRTH** ____/____/____

5. **MALE** _____ **FEMALE** _____

6. In case of an emergency, is there someone in the local area who should be notified?
 YES **NO**

NAME _____

ADDRESS _____

PHONE (____) _____

RELATIONSHIP _____

Check the category and all criteria that apply:

___ CATEGORY 1

I have a physical, mental, or visual disability, or impairment, which PREVENTS me from utilizing fixed route buses without an attendant for:

- (1) ___ boarding
- (2) ___ riding
- (3) ___ disembarking
- (4) ___ other (describe): _____

___ CATEGORY 2

I can use buses with wheelchair lifts, but

- (1) ___ Buses with wheelchair lifts are not available in my area.
- (2) ___ Wheelchair lifts can not be deployed at my stop(s): List Location:

- (3) ___ My mobility aid is 30"w x 48"l or less, but the bus will not accommodate it.

___ CATEGORY 3

I can use accessible buses, but have an impairment-related condition which prevents me from traveling to/from a bus boarding location. Describe the impairment or condition:

Do you use any of the following aids (check all that apply)?

- | | |
|---|---|
| <input type="checkbox"/> Manual Wheelchair* | <input type="checkbox"/> Electric Wheelchair* |
| <input type="checkbox"/> Power Scooter* | <input type="checkbox"/> Cane |
| <input type="checkbox"/> Crutches | <input type="checkbox"/> White cane |
| <input type="checkbox"/> Guide Dog | <input type="checkbox"/> Walker |
| <input type="checkbox"/> Hearing-aid | <input type="checkbox"/> Boarding chair |
| <input type="checkbox"/> Communications Board | <input type="checkbox"/> Brace |
| <input type="checkbox"/> Prosthesis | <input type="checkbox"/> Oxygen Bottle |
| <input type="checkbox"/> Other | |

* Please note that your trip origin and destination must be accessible by ramp or lift. IF NOT ACCESSIBLE, please have someone available to assist you up and down steps. Drivers are not permitted to assist wheelchair customers up or down any steps.

Are there any other effects of your disability which we need to be aware of?

- | | |
|--|--|
| Obesity/Weight <input type="checkbox"/> | Seizures <input type="checkbox"/> |
| Paralysis <input type="checkbox"/> | Need for catheter <input type="checkbox"/> |
| Shortness of Breath <input type="checkbox"/> | Dizziness <input type="checkbox"/> |

Other, please explain: _____

Do you require a Personal Care Attendant** when you use DAST (circle one)?

YES NO OCCASIONALLY

** Personal Care Attendant must be provided by the customer.

Please check here if you would be interested in Travel Training for DART or CDT. Professionals are interested in making it easier for you to use Delaware's public transportation systems. You may qualify for reduced transit fares.

If you have completed this application for another person you must provide the following information:

YOUR NAME _____

ADDRESS _____

CITY _____ STATE _____ ZIP _____

DAYTIME PHONE (____) _____

SIGNED _____ DATE _____

I hereby certify that the information given above is correct.

APPLICANT SIGNATURE

DATE

PART B

REQUEST FOR PROFESSIONAL VERIFICATION

Dear Health Care Professional:

You are being asked by _____ (applicant) to provide information regarding his/her ability to use our transit services. Federal law requires that DAST provide paratransit services to persons who cannot use fixed-route transit services. The information you provide will allow us to evaluate this request and its application to specific trip requests. Thank you for your cooperation in this matter.

To qualify for DAST Paratransit service, a person must be unable to use regular public transit due to a physical or mental disability. Individuals qualify if:

1. as the result of their disability, they cannot board, ride, or disembark from a Delaware Administration for Regional Transit (DART), or Central Delaware Transit (CDT) or Delaware Resort Transit (DRT) bus; or
2. they have a specific impairment-related condition which prevents them from getting to or from a bus stop.

PLEASE NOTE: This does not include persons who find it uncomfortable or difficult to get to and from bus stops.

Resources for this program are limited and your evaluation of each person must be based solely upon the individual's ability to use regular transit. Your verification should consider only the presence of a disabling condition, not the applicant's age or economic status. Please exercise care in evaluating applicants for this program. False verification could result in travel limitation for persons legitimately qualified to use the program.

CERTIFICATION PROCESS

1. Applicant (or representative) has completed PART A.
2. Health Care professionals completing PART B must be guided by the criteria explained herein.
3. DAST may contact the certifying health care professional to verify the accuracy of the information.
4. DAST will make the final determination as to the applicant's eligibility.
5. The application must be filled out **COMPLETELY** for processing to occur.

DAST PARATRANSIT is a limited special transportation service for disabled persons who, because of a mental or physical disability, find it IMPOSSIBLE to use regular public transportation. All parts must be completely filled out by the authorized person who signs below. Incomplete registration forms will be returned to the applicant.

A. Indicate (X) nature of applicant's disability (check as many items as may apply.)

- 1. **Non-Ambulatory (uses Wheelchair for mobility)**
- 2. **Impaired or Assisted Ambulation requiring:
Specify Mobility Aid _____**
- 3. **Arthritis
Specify Extremity _____**
- 4. **Amputation
Specify Extremity _____**
- 5. **Cerebrovascular Accident**
- 6. **Pulmonary Ills
Does applicant use a Portable Oxygen Tank? YES NO**
- 7. **Neurological Handicap**
- 8. **Cardiac Ills**
- 9. **Kidney Disease
Dialysis**
- 10. **Sight Disabilities
 Legally Blind
 Visually Impaired**
- 11. **Incoordination**
- 12. **Mental Retardation (circle level)
Moderate Severe Profound**
- 13. **Cerebral Palsy**
- 14. **Autism**
- 15. **Severe Muscle Spasms**
- 16. **Seizures**
- 17. **Loss of Consciousness**
- 18. **Mental Illness - Please specify what it is about this cognitive disability that makes this individual unable to use regular public transit buses:

_____**
- 19. **Other (describe) _____
_____**

Describe type and severity of disability in detail and how it prevents use of transit:

**B. The disability is _____ Permanent or _____ Temporary
If temporary, expected duration is _____ months.**

C. In your opinion, must this individual bring a competent attendant on each trip?

YES NO

If applicant is visually impaired or blind, developmentally disabled, suffers from a neurological impairment or is mentally retarded, has applicant received training to use fixed route buses?

YES NO

Check only one:

- Can use regular public transit buses on a fixed route schedule.
- Can not use regular public transit at all.
- Can use regular public transit only to destinations for which travel trained.

If there is any other effect of the disability of which DAST should be aware. Please provide an explanation: _____

D. Your professional area of specialization is:

- Check one:
- Podiatrist
 - Optometrist
 - Audiologist
 - Psychologist
 - Physical Therapist
 - Physician
 - Rehabilitation Specialist
 - Independent Living Specialist
 - Registered Nurse/Licensed Practical Nurse

YOUR NAME: _____

TITLE: _____ AGENCY/COMPANY NAME: _____

PROFESSIONAL LICENSE # (if applicable): _____

OFFICE ADDRESS: _____

OFFICE PHONE NUMBER: _____

I hereby certify that the above information is true. DAST will (1) verify the validity of the license of the health professional providing the certification, (2) make the final determination on an applicant's eligibility for DAST Paratransit Service.

SIGNATURE

DATE

THANK YOU FOR YOUR ASSISTANCE

Appendix L

**Sample Eligibility Material Developed by:
Regional Transportation Authority (Chicago)**

Materials included:

- **Application Form**
- **"In-Depth Review Report" Used in In-Person Assessments**
- **"Certification Categories" which Define General Types of Certification Provided**



Regional Transportation Authority ADA Paratransit Application





Regional Transportation Authority ADA Paratransit Application



Section 1. General Information

Please answer the following questions.

If you need help filling out this application, you can call us at (312) 917-HELP voice, or (312) 917-1338 TTY for the hearing impaired (Mon-Fri 8:30 AM - 5:00 PM). You may also contact any agency on the "Help List" which is attached to the end of this application.

1. Do you need this application and future written information given to you in a different way?

YES, please tell us what that is, or you can call the RTA for assistance:

- Large Print
- Braille
- Audio Tape
- in Spanish (en español)
- Other _____

NO, please continue

Please print or type the following information:

First Name _____ Middle Initial ____ Sex: M ____ F ____

Last Name _____

Address _____

City _____ County _____ State _____ Zip _____

Telephone [day] (____) _____ [evening] (____) _____

Social Security # _____ Birthday month _____

Name of person filling out this form _____
(if other than applicant)

I understand that the purpose of this form is to determine if I am eligible to ride Special Services. The RTA may need to talk to me or to see me later to get more information.

I understand that I must be truthful in answering the questions on this form. Giving false information is against the law, and could result in losing Special Services as well as a penalty under the law.

I agree to notify the RTA if I no longer need to use Special Services.

(Applicant Signature)

(Date)

Please give us the name and phone number of a friend or relative in case we are unable to reach you at your regular number:

Name _____

Telephone [day] (_____) [evening] (_____)

Relationship _____

2. Do you have an RTA Reduced Fare Card for half fares on public transit services ?

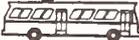
- YES, please give us your ID# _____
 NO

3. Is your health condition or transportation disability temporary ?

- YES, I expect it to last for another _____ months
 NO, it is a permanent condition
 I don't know

4. Have you had this health condition or transportation disability for more than one year?

- YES
 NO
 I don't know

5. Does your health condition or transportation disability change from day to day in a way that makes it very difficult to use fixed route buses  or "L" trains  ?

- YES, my condition is good on some days and bad on other days.
 NO, my condition doesn't change much from day to day.
 I don't know.

PLEASE ANSWER THIS QUESTION IF YOU ANSWERED YES TO #5.

6. If you have a health condition or transportation disability that changes from day to day, please tell us the number of blocks that you can travel, using a mobility aide or on your own ?

A. On a day when my health condition is good: Choose ONLY ONE answer.

- I can't travel outside my house
 I can get to the curb in front of my house
 I can travel up to 1 block
 I can travel up to 2 blocks
 I can travel up to 4 blocks
 I can travel 6 blocks, or more
 I don't want to travel outside

B. On a day when my health condition is bad: Choose ONLY ONE answer.

- I can't travel outside my house
- I can get to the curb in front of my house
- I can travel up to 1 block
- I can travel up to 2 blocks
- I can travel up to 4 blocks
- I can travel 6 blocks, or more
- I don't want to travel outside

7. Does the weather ever keep you from using using fixed route buses  or "L" trains  ?

YES, Please tell us how the weather keeps you from using fixed route buses or "L" trains _____

- NO
- I don't know

PLEASE ANSWER THIS QUESTION IF YOU ANSWERED YES TO #7.

8. If the weather affects your ability to use fixed route buses  or "L" trains  , please tell us how far you can travel, using a mobility aide or on your own ?

A. When the weather is good: Choose ONLY ONE answer.

- I can't travel outside my house
- I can get to the curb in front of my house
- I can travel up to 1 block
- I can travel up to 2 blocks
- I can travel up to 4 blocks
- I can travel 6 blocks, or more
- I don't want to travel outside

B. When the weather is bad: Choose ONLY ONE Answer.

- I can't travel outside my house
- I can get to the curb in front of my house
- I can travel up to 1 block
- I can travel up to 2 blocks
- I can travel up to 4 blocks
- I can travel 6 blocks, or more
- I don't want to travel outside

9. Which of the following mobility aides or equipment do you use to help you get where you need to go ? (Please check all that apply)

I use a:

- cane
- walker
- crutches
- personal care attendant
- powered wheelchair (manufacturer & model _____)
- powered scooter (manufacturer & model _____)
- service animal
- other _____
- long white cane
- leg braces
- manual wheelchair

I do not use a mobility aide, personal care attendant, or service animal.

10. Do you normally travel with a personal care attendant ?

- YES, I always need a personal care attendant to: _____
- YES, I sometimes need a personal care attendant to: _____
- NO

please check all that apply

- get to the bus stop or "L" station
- get on or off the bus or "L" train
- help me while I ride the bus or "L" train
- help me get where I'm going once I'm off the bus or "L" train
- when I use Special Services
- other _____

11. Which of the following limit your ability to use fixed route buses  or "L" trains  ? (check all that apply)

- physical disability
- visual impairment/blindness
- developmental disability
- mental illness
- other

Section 2. Questions about using fixed route buses and ("L") trains

PLEASE ANSWER THESE QUESTIONS EVEN IF YOU DO NOT REGULARLY RIDE BUSES  OR "L" TRAINS: 

(Be sure to check all boxes on the shaded area that apply to you.)

12. Do you now use fixed route CTA or Pace  buses ?

- YES, how many days in one week _____ or, how many days in one month _____
- NO, is there something that would help you to ride the fixed route bus? _____

please check all that apply

- knowing more about fixed route buses
- learning to go from home to work or school
- a lift (accessible bus)
- communication aid
- I would ride if there were accessible bus routes where I need to go
- learning to travel with crowds, noises, traffic
- other _____

13. Do you now ride "L" trains  ?

- YES,
how many days in one week _____
or, how many days in one month _____
- NO,
is there something that would help
you to ride "L" trains? _____

please check all that apply

- knowing more about "L" trains
- elevator at the station
- escalator at the station
- knowing which stations to use
- learning about standing on the platform to catch the train
- I would ride if there were accessible "L" stations where I need to go
- learning to travel with crowds, noises, traffic
- other _____

14. Can you transfer from one fixed route bus to another or between the bus and the "L" train?

- YES, always
- YES, sometimes
- NO,
- I don't know because I have never tried it

please check all that apply

- I get too confused and might get lost
- I can transfer if it's someplace I go all the time
- I don't like to transfer
- I can't hold a paper transfer
- I don't want to use fixed route service
- other _____

15. Can you use the telephone to get bus and train information?

- YES, by myself
- YES, with assistance
please tell us what type of assistance: _____
- NO, not at all
please tell us why: _____

16. Can you follow written or oral instructions to use fixed route buses  or "L" trains  ?

- YES, always
- YES, sometimes
- NO
- I don't know because I have never tried it

please check all that apply

- I get too confused and might get lost
- I don't want to ride fixed route buses or "L" trains
- I probably could with training
- other _____

17. Using a mobility aid or on your own, can you make your way to or from the bus stop  nearest your home ?

- YES, always
- YES, sometimes
- NO
- I don't know because I have never tried

- please check all that apply***
- I cannot find the bus stop because I get confused and might get lost
 - I don't know where the bus stop is
 - I don't want to ride fixed route buses
 - I can't go that far
 - My surroundings keep me from getting there
 - I probably could with training
 - I can't travel to the bus stop in bad weather
 - I can travel to the bus stop when my health condition is good, but not when I'm having a bad day
 - other _____

18. Can you wait 10 minutes at a bus stop  that has a seat and a shelter?

- YES, always
- YES, sometimes
- NO
- I don't know because I have never tried it

- please check all that apply***
- I don't like to wait that long
 - I can't wait that long in bad weather
 - I can wait 10 minutes when my health condition is good, but not when I'm having a bad day.
 - other _____

19. Can you wait 10 minutes at a bus stop  that does not have a seat and a shelter?

- YES, always
- YES, sometimes
- NO
- I don't know because I have never tried it

- please check all that apply***
- I don't like to wait that long
 - I can't stand that long
 - I can't wait that long in bad weather
 - I can wait 10 minutes when my health condition is good, but not when I'm having a bad day.
 - other _____

20. Can you get on and off a fixed route bus  when it has a passenger lift ? (either standing or with a mobility aid)

- YES, always
- YES, sometimes
- NO
- I don't need to use the lift
- I don't know because I have never tried the lift

- please check all that apply***
- My mobility aid won't fit on the lift
 - I can't steady myself when the lift is moving
 - I don't want to use the lift
 - I don't feel secure on the lift
 - I probably could with training
 - other _____

21. Can you get on and off a fixed route bus  when it does not have a passenger lift ?

- YES, always
- YES, sometimes
- NO
- I don't know because I have never tried it

- please check all that apply***
- I don't want to use fixed route buses
 - I need a lift
 - I probably could with training
 - other _____

22. Can you get on and off the "L" train  at a station with ramps or elevators?

- YES, always
- YES, sometimes
- NO
- I don't need to use an elevator or ramp
- I don't know because I have never tried it

- please check all that apply***
- My mobility aid won't fit on the elevator
 - I can't board the train when there is a gap between the train & the platform
 - I don't want to use the "L"
 - I probably could with training
 - other _____

23. Can you follow written or oral instructions to pay your bus or "L" train fare  ?

- YES, Always
- YES, Sometimes
- NO
- I don't know because I have never tried it

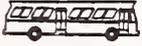
- please check all that apply***
- I get too confused
 - I am not sure how much to pay
 - I don't know where or when to pay
 - I don't want to use the bus or "L"
 - I probably could with training
 - other _____

24. Can you put your fare in the fare box on the bus?

- YES, always
- YES, sometimes
- NO
- I don't know because I have never tried it

- please check all that apply***
- I need help from an attendant or another passenger
 - I don't know where the farebox is
 - I can't put my fare in the farebox when the bus is moving
 - I probably could with training
 - other _____

25. Once inside, can you get to a seat or wheelchair position by yourself on a fixed route bus

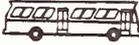


or "L" train  ?

- YES, always
- YES, sometimes
- NO
- I don't know because I have never tried it

please check all that apply

- I need someone to help me
- I have a balance problem
- I can't hold onto the handrails
- I have trouble finding a seat
- I need the seat nearest to the door
- I probably could with training
- other _____

26. Do you know where to get off the bus  or train  or can you find out?

- YES, always
- YES, sometimes
- NO
- I don't know because I have never tried it

please check all that apply

- I get confused or can't remember where I am going
- I don't know where my bus stop or "L" station is located
- I can if the driver calls out the stops
- I probably could with training
- other _____

Section 3. Questions about training

27. For informational purposes, please tell us about your training experience. Have you ever had any training to learn how to use fixed route buses  or "L" trains  ?

YES, was trained by _____

I was trained in: month _____ year _____

I learned: *(please check all that apply)*

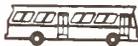
- to travel to and from bus stops or "L" stations
- general bus travel
- general travel on "L" trains
- how to read bus & "L" train destination signs
- getting on or off the bus or "L" train
- how to communicate with bus drivers & "L" train conductors
- asking for help or saying no when offered help
- I started but did not finish the training
- I received training but want more so that I can travel
- to ride on specific bus routes or "L" train lines

please list them:

- | | |
|----------|----------|
| 1. _____ | 4. _____ |
| 2. _____ | 5. _____ |
| 3. _____ | |

NO, *(please check all that apply)*

- I would like to get training so that I can use buses and "L" trains
- I do not want to receive training
- I have not had any training but am able to use buses and "L" trains.

28. If available, do you want training or re-training to use fixed route buses  or "L" trains  ?

YES, I want the following training, if it is available: *(please check all that apply)*

- how to travel to and from bus stops or "L" stations
- general bus travel
- general travel on "L" trains
- how to read bus & "L" train destination signs
- getting on or off the bus or "L" train
- how to communicate with bus drivers & "L" train conductors
- how to ask for help or say no when offered help
- how to ride on specific bus routes or "L" train lines

please list them:

- | | |
|----------|----------|
| 1. _____ | 4. _____ |
| 2. _____ | 5. _____ |
| 3. _____ | |

NO *(please check all that apply)*

- I do not want to receive training
- I do not think I can travel on fixed route service, even with training
- I trained myself but would like an update on training schedules and equipment

Section 4. Travel Information

FREQUENT PUBLIC TRANSIT ORIGINS AND DESTINATIONS

Please list your five most frequent trips, and how you get there now.

SAMPLE		
<u>Origin</u>	<u>Destination</u>	<u>How many times per week do you go there?</u>
1. <u>home</u>	<u>181 W. Madison, Chicago</u>	<u>5</u>
How do you get there now?		
<input checked="" type="checkbox"/> fixed route bus or "L" train	<input type="checkbox"/> Special Services	<input type="checkbox"/> Other _____

<u>Origin</u>	<u>Destination</u>	<u>How many times per week do you go there?</u>
1. _____	_____	_____
How do you get there now?		
<input type="checkbox"/> fixed route bus or "L" train	<input type="checkbox"/> Special Services	<input type="checkbox"/> Other _____
2. _____	_____	_____
How do you get there now?		
<input type="checkbox"/> fixed route bus or "L" train	<input type="checkbox"/> Special Services	<input type="checkbox"/> Other _____
3. _____	_____	_____
How do you get there now?		
<input type="checkbox"/> fixed route bus or "L" train	<input type="checkbox"/> Special Services	<input type="checkbox"/> Other _____
4. _____	_____	_____
How do you get there now?		
<input type="checkbox"/> fixed route bus or "L" train	<input type="checkbox"/> Special Services	<input type="checkbox"/> Other _____
5. _____	_____	_____
How do you get there now?		
<input type="checkbox"/> fixed route or "L" train	<input type="checkbox"/> Special Services	<input type="checkbox"/> Other _____

IN-DEPTH REVIEW REPORT

Instructions to reviewer:

Please complete the three sections of this report for each applicant evaluated:

1. Reviewer Comments and Travel Training Recommendations, 2. Functional Assessment (application questions), and 3. Eligibility Recommendation. In addition to the three sections, please provide the following information:

Please print or type the following information:	
Applicant Name	_____
Name of Reviewer	_____
Address of Reviewer	_____
City _____ State _____ Zip _____ Telephone (____) _____	
Date of Applicant Referral _____	Date of Applicant Interview _____
Have results of evaluation been conveyed to the applicant ? <input type="checkbox"/> YES <input type="checkbox"/> NO	
Reviewer Signature of Completion _____	Date _____

1. Reviewer Comments & Travel Training Recommendation

Reviewer Comments:

Travel Training Recommendation

2. Functional Assessment (application questions)

A. Does applicant now use fixed route CTA or Pace buses ?

- YES
 - how many days a week ? _____
 - how many days a month ? _____
- NO (answer question below by checking all that apply)

What would help applicant to ride fixed route buses ?

- knowing how to use fixed route buses
- a lift (accessible bus)
- communication aid
- would ride if there were accessible bus routes where he/she needed to go
- does not ride because he/she has trouble dealing with crowds
- other _____

ADDITIONAL COMMENTS RELATED TO THIS FUNCTION:

B. Does applicant now ride CTA "L" trains ?

- YES
 - how many days a week ? _____
 - how many days a month ? _____
- NO (answer question below by checking all that apply)

What would help applicant to ride the fixed route bus?

- knowing how to use "L" trains
- elevator at the station
- escalator at the station
- would ride if there were accessible "L" stations where he/she needed to go
- does not ride because he/she has trouble dealing with crowds
- other _____

ADDITIONAL COMMENTS RELATED TO THIS FUNCTION:

C. Can applicant transfer from one fixed route bus to another or between the bus and the "L train" ?

- YES, always
- YES, sometimes (answer question below by checking all that apply)
- NO (answer question below by checking all that apply)
- Applicant doesn't know because he or she has never tried it

CHECK ALL THAT APPLY

- applicant gets too confused and might get lost
- applicant doesn't like to transfer
- applicant doesn't want to use fixed route service
- other _____

ADDITIONAL COMMENTS RELATED TO THIS FUNCTION:

D. Can applicant use the telephone to make calls ?

- YES, with no assistance
- YES, with assistance. Note what type of assistance is needed:
(i.e. TTY machine) _____
- NO, not at all
why: _____

ADDITIONAL COMMENTS RELATED TO THIS FUNCTION:

- E. Can applicant follow written or verbal instructions to use fixed route buses or "L" trains ?
- YES, always
 - YES, sometimes (*answer question below by checking all that apply*)
 - NO (*answer question below by checking all that apply*)
 - Applicant doesn't know because he or she has never tried it

CHECK ALL THAT APPLY

- applicant gets too confused and might get lost
- applicant doesn't want to use fixed route buses or "L" trains
- applicant probably could with training
- other _____

ADDITIONAL COMMENTS RELATED TO THIS FUNCTION:

- F. Using a mobility aid or on his/her own, can applicant make his/her way to or from the bus stop nearest his/her home ?
- YES, always
 - YES, sometimes (*answer question below by checking all that apply*)
 - NO (*answer question below by checking all that apply*)
 - Applicant doesn't know because he or she has never tried it

CHECK ALL THAT APPLY

- applicant cannot find bus stop, gets too confused and might get lost
- applicant doesn't know where the bus stop is located
- applicant doesn't want to use fixed route buses or "L" trains
- applicant can't go that far
- applicant doesn't feel secure
- applicant probably could with training
- applicant can't travel to the bus stop in hot weather
- applicant can't travel to the bus stop in cold weather
- applicant can travel to the bus stop "on good days" but not on "bad days"
- other _____

ADDITIONAL COMMENTS RELATED TO THIS FUNCTION:

G. Can applicant wait 10 minutes at a bus stop that has a seat and a shelter ?

- YES, always
- YES, sometimes (answer question below by checking all that apply)
- NO (answer question below by checking all that apply)
- Applicant doesn't know because he or she has never tried it

CHECK ALL THAT APPLY

- applicant doesn't like to wait that long
- applicant can't wait that long in hot weather
- applicant can't wait that long in cold weather
- other _____

ADDITIONAL COMMENTS RELATED TO THIS FUNCTION:

H. Can applicant wait 10 minutes at a bus stop that does not have a seat and a shelter ?

- YES, always
- YES, sometimes (answer question below by checking all that apply)
- NO (answer question below by checking all that apply)
- Applicant doesn't know because he or she has never tried it

CHECK ALL THAT APPLY

- applicant doesn't like to wait that long
- applicant can't stand that long
- applicant can't wait that long in hot weather
- applicant can't wait that long in cold weather
- other _____

ADDITIONAL COMMENTS RELATED TO THIS FUNCTION:

L. Can applicant get on and off a fixed route bus when it has a passenger lift (either standing or with a mobility aid) ?

- YES, always
- YES, sometimes (answer question below by checking all that apply)
- NO (answer question below by checking all that apply)
- Applicant doesn't need to use the lift
- Applicant doesn't know because he or she has never tried it

CHECK ALL THAT APPLY

- applicant's mobility aid won't fit on the lift
- applicant can't steady himself/herself when the lift is moving
- applicant doesn't want to use the lift
- applicant doesn't feel secure on the lift
- applicant probably could with training
- other _____

ADDITIONAL COMMENTS RELATED TO THIS FUNCTION:

J. Can applicant get on and off a fixed route bus when it does not have a passenger lift?

- YES, always
- YES, sometimes (answer question below by checking all that apply)
- NO (answer question below by checking all that apply)
- Applicant doesn't know because he or she has never tried it

CHECK ALL THAT APPLY

- applicant doesn't want to use fixed route buses
- applicant probably could with training
- other _____

ADDITIONAL COMMENTS RELATED TO THIS FUNCTION:

K. Can applicant get on and off the "L" train at a station with ramps or elevators ?

- YES, always
- YES, sometimes (*answer question below by checking all that apply*)
- NO (*answer question below by checking all that apply*)
- Applicant doesn't need to use an elevator or ramp
- Applicant doesn't know because he or she has never tried it

CHECK ALL THAT APPLY

- applicant's mobility aid won't fit on the elevator
- applicant can not board the train when there is a gap between the "L" train and the platform
- applicant doesn't want to use the "L"
- applicant probably could with training
- other _____

ADDITIONAL COMMENTS RELATED TO THIS FUNCTION:

L. Can applicant follow written or verbal instructions to pay his/her bus or "L" train fare ?

- YES, always
- YES, sometimes (*answer question below by checking all that apply*)
- NO (*answer question below by checking all that apply*)
- Applicant doesn't know because he or she has never tried it

CHECK ALL THAT APPLY

- applicant gets too confused
- applicant is not sure how much to pay
- applicant doesn't want to use the bus or "L"
- applicant probably could with training
- other _____

ADDITIONAL COMMENTS RELATED TO THIS FUNCTION:

M. Can applicant put his/her fare in the fare box ?

- YES, always
- YES, sometimes (*answer question below by checking all that apply*)
- NO (*answer question below by checking all that apply*)
- Applicant doesn't know because he or she has never tried it

CHECK ALL THAT APPLY

- applicant needs help from an attendant or another passenger
- applicant can't put his/her fare in the fare box when the bus is moving
- applicant probably could with training
- other _____

ADDITIONAL COMMENTS RELATED TO THIS FUNCTION:

N. Can applicant use paper transfers ?

- YES, always
- YES, sometimes (*answer question below by checking all that apply*)
- NO (*answer question below by checking all that apply*)
- Applicant doesn't know because he or she has never tried it

CHECK ALL THAT APPLY

- applicant needs help from an attendant or another passenger
- applicant probably could with training
- other _____

ADDITIONAL COMMENTS RELATED TO THIS FUNCTION:

- O. **Once inside, can applicant get to a seat or wheelchair position by himself/herself on a fixed route bus or "L" train ?**
 YES, always
 YES, sometimes (*answer question below by checking all that apply*)
 NO (*answer question below by checking all that apply*)
 Applicant doesn't know because he or she has never tried it

CHECK ALL THAT APPLY

- applicant needs someone to help him/her
 applicant has a balance problem
 applicant cannot hold onto the handrails
 applicant needs the seat nearest to the door
 applicant probably could with training
 other _____

ADDITIONAL COMMENTS RELATED TO THIS FUNCTION:

- P. **Does applicant know where to get off the bus or train, or can he or she find out ?**
 YES, always
 YES, sometimes (*answer question below by checking all that apply*)
 NO (*answer question below by checking all that apply*)
 Applicant doesn't know because he or she has never tried it

CHECK ALL THAT APPLY

- applicant gets confused or can't remember where he or she is going
 applicant doesn't know where his/her bus stop or "L" station is located
 applicant probably could with training
 other _____

ADDITIONAL COMMENTS RELATED TO THIS FUNCTION:

3. Eligibility Recommendation

NON-TEMPORARY:

— **CERTIFICATION FOR ALL TRIPS**

BASIS FOR RECOMMENDATION & SPECIFIC LIMITATIONS OF APPLICANT:

— **TRANSITIONAL CERTIFICATION**

BASIS FOR RECOMMENDATION & SPECIFIC LIMITATIONS OF APPLICANT:

— **CONDITIONAL-VARIABLE CERTIFICATION**

BASIS FOR RECOMMENDATION & SPECIFIC LIMITATIONS OF APPLICANT:

— **CONDITIONAL COLD-WEATHER CERTIFICATION**

— **CONDITIONAL HOT-WEATHER CERTIFICATION**

PLEASE PROVIDE DETAILED INFORMATION :

BASIS FOR RECOMMENDATION & SPECIFIC LIMITATIONS OF APPLICANT:

CONDITIONAL-ORIENTATION CERTIFICATION

PLEASE PROVIDE DETAILED INFORMATION INCLUDING ROUTES WHICH APPLICANT IS TRAINED FOR AND UNDER WHAT CONDITIONS:

BASIS FOR RECOMMENDATION & SPECIFIC LIMITATIONS OF APPLICANT:

CONDITIONAL-TRAINING ELIGIBILITY

BASIS FOR RECOMMENDATION & SPECIFIC LIMITATIONS OF APPLICANT:

TEMPORARY:

**TEMPORARY CERTIFICATION
(6 MONTH PERIOD OF ELIGIBILITY)**

BASIS FOR RECOMMENDATION & SPECIFIC LIMITATIONS OF APPLICANT:

TEMPORARY-TRAINING CERTIFICATION

PLEASE PROVIDE ADDITIONAL INFORMATION ON TYPE OF TRAVEL TRAINING REQUIRED :

BASIS FOR RECOMMENDATION & SPECIFIC LIMITATIONS OF APPLICANT:

REGIONAL TRANSPORTATION AUTHORITY
Chicago, Illinois

ADA Paratransit Eligibility Categories

ALL TRIPS

Client is eligible for ADA paratransit trips for all travel.

CONDITIONAL - VARIABLE DISABILITY CONDITION

Client is eligible for ADA paratransit trips only on days when the client self-determines that his/her disability prevents use of fixed route service.

CONDITIONAL - ORIENTATION

Client is eligible for ADA paratransit trips except when the trip requested has a non-eligible origin and destination. A non-eligible origin and destination might be, for example: 1) a trip that the client is already making consistently and successfully on fixed route service, or 2) a trip for which the client has successfully completed travel training. The non-eligible trips will be specifically defined in the client's eligibility determination.

CONDITIONAL - WINTER MONTHS

Client is eligible for ADA paratransit trips only from November 15 through March 15.

CONDITIONAL - SUMMER MONTHS

Client is eligible for ADA paratransit trips only from July 15 through August 31.

TEMPORARY - TRAINING

Client is eligible for ADA paratransit trips for all travel during a period when travel training will be made available to the client. At the completion of either the temporary period or the travel training, a final eligibility determination will be made.

TEMPORARY - DISABILITY CONDITION

Client will be eligible for ADA paratransit service for the period of estimated disability. Generally, the client will be eligible for ADA paratransit service for all travel during this period, although the potential exists for conditional-type restrictions under this category.

TEMPORARY - VISITOR

Client will be eligible for ADA paratransit service for a 21-day period, based upon the ADA eligibility granted by another public mass transportation provider. Generally, the client will be eligible for ADA paratransit service for all travel during this period, although the potential exists for conditional-type restrictions under this category.

Appendix M

**Sample Eligibility Material Developed by:
Port Authority of Allegheny County (PAT)**

Materials included:

- **Excerpt from ADA Paratransit Plan Update which Summarizes the Eligibility Process (Note "Functional Tests" on pp. 46 - 53)**
- **"Personal Assistance Certification" Form (certifies need for a PCA)**
- **Application Form**
- **"Functional Evaluation - Physical" Form Used in In-Person Assessment of Individuals with Physical Disabilities**



B. Description of Process to Certify Individuals as Paratransit Eligible

The information provided in this section is generally a summary of the eligibility information provided in the 1992 Paratransit Plan. Forms referenced herein were provided in the 1992 Plan and are not repeated. Descriptions of the functional tests have been updated and are included herein.

1. Description of Categories of Eligibility

ACCESS ADA paratransit service will be offered by Port Authority of Allegheny County to individuals with physical, cognitive or visual disabilities who have been certified as functionally unable to use Port Authority's fixed route system either permanently, temporarily or under certain circumstances.

It is recognized that individuals with disabilities may be certified as eligible under a variety of conditions. Some may be able to use fixed route service some of the time, some may never be able to use fixed route service and some may be unable to use fixed route service on a temporary basis. After the evaluation procedure has been completed, each applicant will be assigned to a Category of Use. A description of these Categories of Use follows.

a. Permanent

Individuals who have been judged functionally unable to safely and independently board, ride or disembark from a fully accessible transit vehicle

will be eligible for unrestricted paratransit use.

b. Transitional

Transitional or temporary eligibility will apply to individuals who are functionally able to use fixed route service, but do not have an accessible vehicle on their route; individuals with temporary disabilities that temporarily prevent the use of fixed route service, or persons with visual or cognitive impairments who are in the process of receiving mobility training.

c. Conditional

Conditional or trip-by-trip eligibility will apply to individuals who are able to use Port Authority's fixed route service sometimes, but may require ACCESS service in special circumstances. Determination of eligibility for any paratransit trip request in this category will be based on a specific set of criteria which relate to the interaction of an individual's disability and functional ability in certain circumstances which prevent travel to a bus stop. Unavailability of fixed route service by itself will not constitute eligibility for a person who would otherwise be functionally able to take the same trip on fixed route were the service available. These circumstances will include, but are not limited to:

- Dangerous pedestrian or traffic situations.

- Susceptibility to hypothermia and/or heat sensitivity (this could be seasonal).
- Terrain.
- Treatments resulting in severe fatigue (ex: dialysis, chemotherapy).
- Progressive, episodic disabilities (good/bad days).
- Ability to negotiate a transfer if one is required.

2. Description of Application and Certification Process

a. Availability of Information About the Process

Information about the process for applying for paratransit service may be obtained by calling the ACCESS administration office at 562-5353 Monday through Friday between 8:00 a.m. and 4:30 p.m. All persons must apply for paratransit service eligibility in person at the Easter Seal Society or other location(s) to be determined by the ACCESS administrative office. Other community based locations may be identified in the future.

An appointment must be scheduled for the application/certification process. At the time the appointment is scheduled, the applicant will be told what documentation should be brought to the interview.

1. Interview

An application, in the form of an interview, will be completed for each applicant. This personal interview will be conducted to gather information from the applicant about his/her disability, current use (if any) of fixed route transit services, and their own assessment of their environment and functional ability.

2. Documentation

The applicant must bring current verification of his/her disability.

3. Professional Verification

Applicants currently receiving service from an agency may choose to have professional verification of functional ability accompany their application for service. Designated staff at specified agencies will be authorized to complete professional verification forms for their clients.

4. Functional Tests

Because paratransit eligibility is based primarily on functional ability to independently use fixed route service, functional tests and certain recognized, standardized tests which are reasonable predictors of functional ability are an important component

of the determination of eligibility. The following functional tests will be performed as part of the screening process.

(a) Bus Boarding/Disembarking Test

A licensed physical therapist on the staff of the Easter Seal Society conducts this physical limitation evaluation which examines the applicant's ability to ambulate on a flat surface, maintain balance and independently negotiate steps.

Both a mockup of the front end of a bus and a mockup of a curb are used for the physical test of the applicant's ability to board a bus. The individual's lower and upper extremity functions will be evaluated as the therapist determines ability to independently initiate the first step, maintain balance, grasp the handrail and negotiate the steps. The therapist will be primarily evaluating the applicant's:

- Strength
- Endurance
- Balance/Coordination
- Weight Bearing Ability
- Range of Motion

After the physical test has been administered, the therapist will note his/her observations and state his/her professional evaluation of the applicant's functional ability to safely and independently board any bus which is not fully accessible, as well as ability to use the lift on an accessible bus. This evaluation and recommendation will become part of the application.

ACCESS riders who were certified prior to March 1, 1993 were certified based on their inability to board an inaccessible bus. Recertification of current ACCESS riders to determine ability to use an accessible bus will be conducted after about one half of Port Authority's routes are accessible. Specific information about the recertification process will be included in future paratransit plan updates.

(b) Cognitive Evaluation Assessment Tools

Based on the applicant's cognitive disability, one or more of the following assessment tools will be considered:

(1) Mini-Mental State Examination (MMSE)

The MMSE will be administered by a

trained interviewer at the time of the application. If the applicant has had the test administered within the last month, he/she may bring the test results along with verification from the agency which administered the test.

(2) Ranchos Los Amigos Scale

Results performed by an approved rehabilitation facility within the last 30 days will be accepted.

(3) Functional Assessment Based on Subtests from Standard Instruments:

An assessment of the individual's functional abilities will be made based on subtests from the following standard instruments which will be administered by a trained professional at the time of application for paratransit eligibility.

- Communicative Abilities in Daily Living (CADL)
- Cognitive Competency Test (CCT)
- River Mead Behavioral Memory Test
- Tests of specific cognitive domains including memory, attention, and problem solving.

(4) Simulated Training Instrument

In conjunction with the functional

assessment based on subtests from standard instruments, the applicant's ability to learn to use fixed route service will also be assessed through a simulated training instrument. The instrument, developed locally, is a realistic simulation of the environment with both learning and assessment components.

3. Description of Eligibility Case Review Process

An applicant for ACCESS ADA paratransit service who has been notified in writing that eligibility has been denied, may request a review of the eligibility determination. The completed Case Review Application will be forwarded to the Review Committee as soon as it is received.

The Review Committee is a group of professionals and advocates not employed by Port Authority or ACCESS, whose function is to consider eligibility appeals and make a joint recommendation concerning eligibility.

The Review Committee, through the release of information consent, will have access to the individual's entire application for ADA paratransit eligibility and will be permitted to contact the applicant's physician and/or other agency professionals as appropriate concerning the functional ability of the applicant to use fixed route transit services. It will be the job of the

Review Committee to make a recommendation concerning eligibility and to outline their decision as it relates specifically to the eligibility criteria.

C. Personal Assistance Certification

Individuals who require a personal assistant to perform at least one daily living activity when they travel, may travel with one person as a personal assistant at no charge effective March 1, 1993. Activities performed by a personal assistant may include: mobility assistance; personal care; eating; or communication (including verbal communication translation, sign language interpretation, or services of a reader).

The rider will self certify his/her need for a personal assistant using the form found in Exhibit A on the following page. This certification form will be sent to all current ACCESS riders in February. For new applicants, the certification of need for a personal assistant will be obtained at the time of registration.



FOR OFFICE USE ONLY

I.D. NUMBER _____

EVALUATION DATE _____

DATE ISSUED: _____

PERMANENT _____ REFUSED _____

CARRIER: _____ # _____

TRANSITIONAL _____ EXPIRATION DATE: _____

CONDITIONAL: 1 2 3 4 5 6 7 8 9

P.A.: _____

SPECIAL ASSISTANCE: _____ YES _____ NO

#####

APPLICATION FOR ACCESS PARATRANSIT SERVICES

Name _____ Date of Birth _____
Last First

Address _____ Apt. # _____

City _____ State _____ Zip Code _____

SOCIAL SECURITY # _____ Phone (H) _____ (W) _____

What is the disability which prevents you from using PAT Bus Service:

Have you brought verification of your disability? _____ Yes _____ No

Is your disability permanent? _____ Yes _____ No

If no, how long do you expect to have a disability? _____

Designate any mobility aids you use (check all that apply).

- _____ Manual Wheelchair _____ Dog Guide _____ Prosthesis
- _____ Motorized Wheelchair _____ White Cane _____ Crutches
- 3 Wheeled _____ _____ Walker _____ Other
- 4 Wheeled _____ _____ Cane _____
- Manufacturer _____ _____ Braces _____

Please read the following 10 statements and circle the one statement that applies to you. (Circle one)

1. I can use PAT service sometimes, but for certain trips either I have not been trained, or there are other barriers present.
2. I have a temporary disability which prevents me from getting on any bus which is not fully accessible. I will need ACCESS service only until I recover.
3. I have an ambulatory disability which prevents me from boarding any PAT vehicle which is not fully accessible.
4. I have an ambulatory disability which prevents me from boarding even an accessible PAT vehicle without assistance.
5. I have a cognitive disability which prevents me from remembering and understanding all I have to do to find my way to and from the PAT stop, and ride the bus. I don't feel that I can ever learn.
6. I have a cognitive disability which prevents me from remembering and understanding all I have to do to find my way to and from the PAT stop, and ride the bus. I think that with training I can learn, but I don't know how right now.
7. I have a visual disability which prevents me from finding my way to and from the PAT stop. I don't feel that I can ever learn.
8. I have a visual disability which prevents me from finding my way to and from the PAT stop. I think that with training I can learn, but I don't know how right now.
9. I have a severe medical condition. My condition results in an impairment which makes it impossible for me to use PAT service.
10. I have an episodic disability. I can use the bus on those days when I am feeling well, but on "bad days", I can't make it to the stop, or even get on the bus.

- Do you currently use PAT service at all? _____ Yes _____ No
- Do you have a PAT half fare card? _____ Yes _____ No
- Can you name any PAT bus routes which serve your neighborhood? _____

- Where is the closest bus stop to your home? Please give the location (Ex: Corner 5th and Grant)

o List your 4-5 most frequent destination, and how you get there.

<u>Destination Address</u>	<u>Frequency of Travel</u>	<u>How Do You Get There Now?</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

o Are there places you would like to go that you can't get to now?

<u>Destination Address</u>	<u>Frequency Desired</u>	<u>Barrier</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

o How did you find out about ACCESS? _____

o How did you get to this appointment today? (What means of transportation?)

EMERGENCY CONTACT

o May we have the name of someone you would like us to contact in case of an emergency. (Please select someone who would not be riding in the vehicle with you.)

Name _____ Phone (Home) _____ (Work) _____
Relationship _____

I certify that this information is correct.

Signature _____ Date _____

To be completed if the applicant was assisted by someone else in the completion of the application.

Name _____ Daytime Phone _____
Address _____
Relationship _____ Signature _____

o Can you get to this bus stop by yourself? _____ Yes _____ No _____ Sometimes .

If no, why not? _____

o If you use PAT bus service now, do you need the assistance of another person?

(Circle One) Always Sometimes Never

o Which routes do you currently travel? _____

What is it about riding a PAT bus that is most difficult for you. (Ex: The bus moves before you are seated, etc.)

o Are there any ridership or usage factors about PAT bus service which are a particular challenge to you? (Ex: Frequent "standing room only", etc.) _____

o If you do not use PAT service, what are the conditions of your disability which prevent you from riding the bus or "T"? _____

o How many steps are there at the entrance you use at your residence? _____

o Are there sidewalks at your residence? _____ Yes _____ No

o How would you describe the terrain where you live? (Ex: very steep hill, long gradual hill, flat, etc.) _____

o Can you ever cross the street by yourself? _____ Yes _____ No

If yes, under what circumstances? _____

o Have you ever received mobility training? _____ Yes _____ No

If yes, where were you trained? _____
by (Agency) _____

Was it route specific? _____ Yes _____ No

Which routes/destinations did you learn? _____



RELEASE OF INFORMATION

I receive services from the following rehabilitation facility or health care professional or agency which is familiar with my disability. You have my permission to contact them to provide information to ACCESS for the purpose of completing this certification procedure.

(Please use a separate form for each agency)

Name _____

Address _____

Staff Person Familiar with my Case _____

I understand that this information will be held by ACCESS in the strictest confidence and will not be shared with any other person or agency.

Signature of Applicant _____

Witness _____

Date _____



PERSONAL ASSISTANCE CERTIFICATION

NAME: _____ ACCESS
ID No. _____
Last First MI.

ADDRESS: _____ APT. # _____

_____ City State Zip Code

Home Phone: _____ Work Phone: _____

What is your disability? _____

What mobility equipment do you use? _____

I certify that I need the services of a personal assistant to make independent travel possible. A personal assistant is someone designated or employed specifically to assist me with the completion of at least one daily activity on a regular basis.

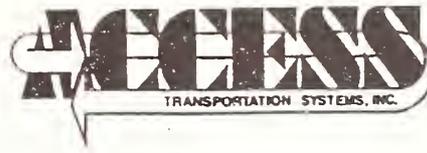
I will need a personal assistant _____ permanently or _____ temporarily or _____ occasionally. If temporary, provide expected duration _____.

I certify that the information provided is true and correct.

Signature: _____ Date: _____

Witness (if completed by someone else): _____

701 Smithfield Street / Pittsburgh, Pennsylvania 15222-3906 / (412) 562-5353 / FAX (412) 391-0594



APPLICATION FOR ACCESS PARATRANSIT SERVICE
PROFESSIONAL VERIFICATION

Applicant's Name _____

Address _____

1) In what capacity do you know the applicant? _____

2) What was the last date of face to face contact by you or your agency with this client (other than related to this application)? _____

3) What is the medical diagnosis of the applicant's disability? _____

4) What was the date of onset? _____

5) What is the expected length of duration? _____

6) To your knowledge, how does the applicant currently use PAT fixed route transit, if at all? (Example: with assistance only; on these specific routes only, etc.) _____

7) In your opinion, what are the applicant's functional limitations which prevent him/her from utilizing fixed route transit independently? Please be specific. _____

8) Are there any circumstances under which you believe the applicant could independently use fixed route transit? Please Describe. (Example: if the driver announced the stops.) _____

9) Has the applicant ever received any community orientation and mobility training?

_____ Yes _____ No _____ Don't Know

If Yes: _____ Year Trained _____ Trained By: _____

Agency _____

If it was route specific, please list routes and/or destinations.

Was training completed? _____ Yes _____ No

If No: Do you believe that the applicant could be successfully trained to travel independently via public transportation - and under what conditions? _____

10) Is there any additional information regarding the applicant which you believe impacts on his/her functional ability to use PAT fixed route service, or any special circumstances which you believe should be considered? _____

I certify that this information is true and correct to the best of my knowledge.

Signature _____ Title _____

Please Print or Type Name _____ Please Print Title _____

Agency _____ Phone _____

Address _____

Date _____

FUNCTIONAL EVALUATION - PHYSICAL

Step Test (Strength/Weight Bearing/Range of Motion)

Curb/Curb Cut

Balance/Coordination

Ambulation on Level Surface or Pushing Wheelchair

Street Crossing Simulation

Maneuver on to Lift

Other Observations

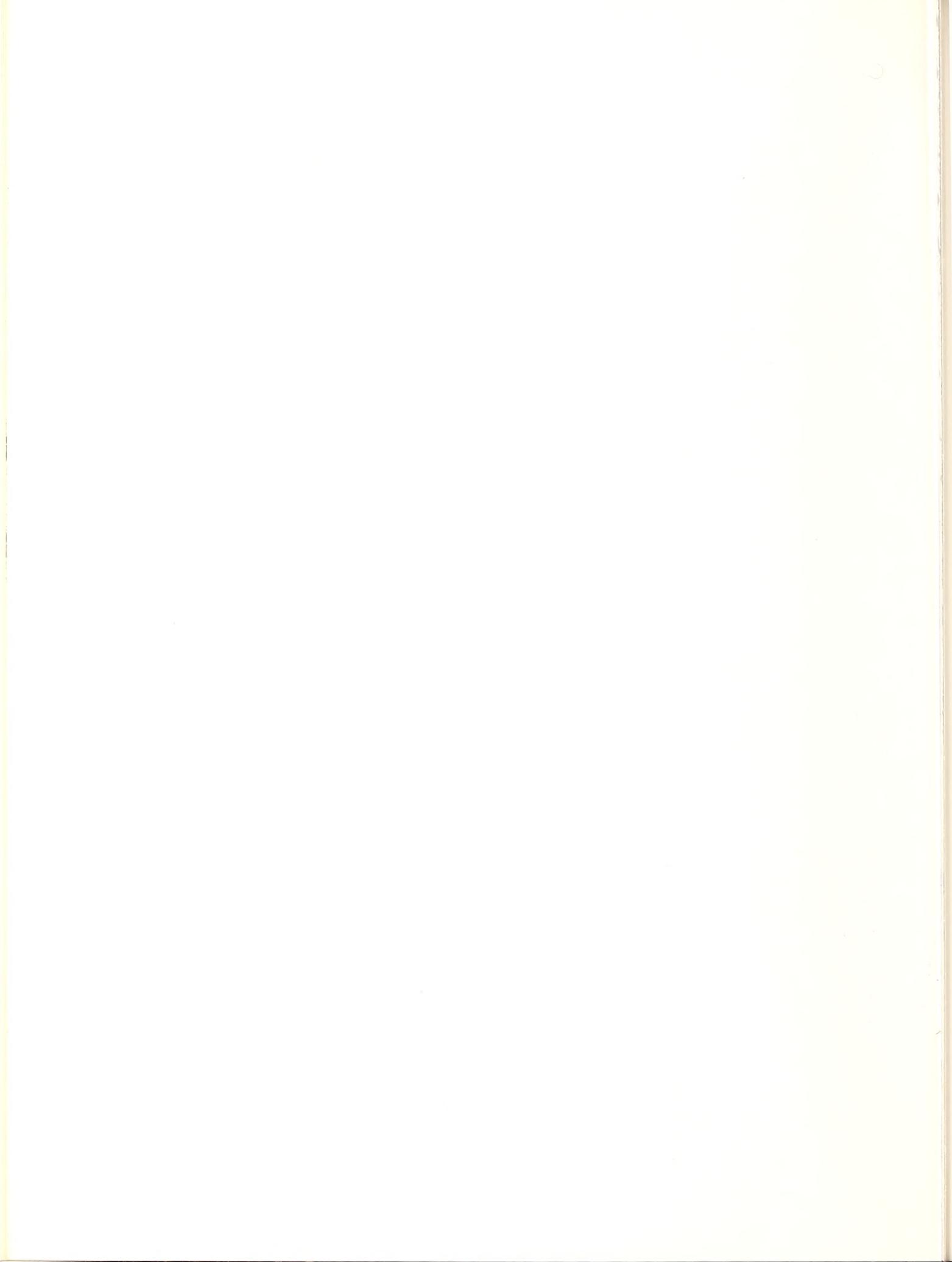
Recommendation:

Physical Therapist

Date

Appendix N

**Information about the Applicant Tracking System
used by Seattle Metro**



Managing ADA Paratransit Compliance Through Automation

Nancy Poultney, Janey Elliott and the staff at Seattle Metro Accessible Services, have taken a progressive approach to managing the certification process of individuals who apply for ADA Paratransit Eligibility by automating their processes using the SIGMA IV Applicant Management System (AMS).

The SIGMA IV AMS is a powerful and flexible tool designed specially for the tracking of all types of applicants. Seattle Metro's Accessible Services Section uses AMS to track applicants as they progress through the certification process, sending notices of status and keeping track of time frames related to processing time, all of which is important to ensure compliance with ADA.

AMS is used to manage rider eligibility records for both the ADA and Access paratransit programs. Information on approximately 21,000 riders is currently being stored, with a total database of up to 50,000 riders expected when Metro reaches full ADA compliance. Accessible Services uses AMS to do the following:

- Produce labels for weekly mailings of ADA registration and Access re-registration materials;
- Track applicants through the ADA eligibility determination and appeal process, including tracking time limits for determination, external review, eligibility to appeal, etc.;
- Generate over 20 different individually-addressed form letters (including large type for people with limited vision) to notify riders of various types of eligibility determination, referral for review and appeal status and service changes, all documented with Notice Tracking;
- Produce management reports using ad hoc reporting and the Workload Activity tracking capabilities of AMS.

When ADA paratransit service starts up in late 1993, information from the records of eligible riders will be exported daily via modem from the AMS file to Metro's paratransit services broker for use with an automated scheduling and dispatch system. This will allow Metro to protect rider confidentiality while providing the broker with the information required to determine eligibility and deliver service.

If you have specific questions on how Metro Seattle Accessible Services is using SIGMA IV AMS to automate the paratransit certification process, contact Janey Elliott in Seattle at (206) 689-3115.

The SIGMA IV Applicant Management System is a PC based program that is distributed exclusively by Sigma Data Systems, Inc., 6375 E. Tanque Verde Road, Suite 250, Tucson, AZ 85715. For more information on how to automate your ADA Paratransit certification process, contact Sigma Data Systems at (800) 677-1275.

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