



# **COTTONWOOD AREA TRANSIT**

## **PARATRANSIT SERVICES**

### **ADA ELIGIBILITY**

### **PROCESS & POLICY**



**COTTONWOOD AREA TRANSIT  
ADA PARATRANSIT  
ELIGIBILITY POLICY**

January, 2018

CAT  
340 Happy Jack Way  
Cottonwood, AZ 86326  
(928) 634-2287

# TABLE OF CONTENTS

	PAGE #
I ADA PARATRANSIT ELIGIBILITY.....	4
II APPEALS PROCESS.....	6
III RECERTIFICATION.....	7
IV SUSPENSION OF SERVICE.....	8
V ADA PARATRANSIT SERVICE FOR VISITORS.....	9
VI PCA (Personal Care Attendants) AND COMPANIONS.....	10

# COTTONWOOD AREA TRANSIT SERVICES POLICY

## I ADA PARATRANSIT ELIGIBILITY

- A. Reference – Reference Sections in this policy are found in 49 CFR Part 37  
- Transportation for Individuals with Disabilities (ADA).

Section 37.123 – ADA Paratransit Eligibility: Standards

Section 37.125 – ADA Paratransit Eligibility: Process, Section (a)-(f)

Section 37.131 – Service Criteria for Complementary Paratransit

- B. Policy – Within the limits of the ADA service criteria, it is the policy of Cottonwood Area Transit (CAT) to provide ADA paratransit service to all persons with disabilities who fall under at least one of the following eligibility categories:

**CATEGORY 1:** Any person who cannot, as a result of a physical, cognitive, or sensory disability, independently (except for the assistance of a bus driver) board, ride, or disembark from any vehicle which is accessible to and usable by persons with disabilities.

**CATEGORY 2:** Any person with a disability who can independently board, ride, or disembark from an accessible vehicle but an accessible vehicle is not available to that person on the route and at a time a trip is desired; also, a person who must embark/disembark on a lift is eligible under this category when the lift cannot be deployed at the bus stop he or she requests.

**CATEGORY 3:** Any person with a disability who has a specific impairment-related condition which prevents him or her from getting to and from a bus stop or waiting a reasonable period of time at the bus stop.

The basis for eligibility under this category is that the interaction between an architectural and/or environmental barrier and a specific impairment related condition prevents a person with disability/disabilities from getting to and from a bus stop. Distance, terrain, and weather are examples of environmental barriers. Difficulty alone in traveling to or from a bus stop is not a basis for eligibility.

**Eligibility in any of these categories shall be based on a functional determination, not a medical determination.**

- C. Conditions of Eligibility – ADA Eligibility shall be granted by Condition as follows:

**Unconditional** - A person shall be eligible to ride Paratransit for all trips at all times, within the limits of the ADA service criteria. A Temporary condition may be granted to a person with a temporary disability for a specific length of time.

**Conditional** – A person shall be eligible to ride Paratransit only when there is no accessible Fixed Route Transit bus on a route and at a time he or she desires a trip. A person who must embark/disembark an accessible bus on a lift shall also be eligible to ride Paratransit when the lift cannot be used at the bus stop he or she requests.

A person shall be eligible to ride Paratransit on a conditional basis and may be eligible to ride Paratransit for some trips but not others. Conditional eligibility may be related to the environment (distance, terrain, weather, etc.), whether or not a person is trained to make a trip independently and/or other variables that prevent a person from riding Paratransit on some days.

- D. Application And Certification Process

1. Application form and materials: The application form for ADA Paratransit Eligibility must be completed by the applicant or by another person on behalf of the applicant. Social service agencies may also provide assistance to the applicant. If additional assistance is needed to complete the application, the applicant may call CAT for assistance.
2. Application submission: Applications may be submitted by mail or in person at the CAT office. Upon receipt, each application form shall be reviewed for completeness including a signed statement of impairment from a qualified medical professional. Applications that are considered to be complete must be date-stamped. A copy of an incomplete application shall be returned to the applicant with a letter indicating what information is missing. Incomplete applications shall not be processed.
3. Application processing: Completed applications shall be processed by the ADA Eligibility staff of CAT. When necessary, the assistance of a contracted medical and/or disability professional may be solicited. Medical documentation must be provided by the applicant. The application is designed to provide sufficient information to determine the eligibility of most applicants. It may be necessary to make a telephone call to the applicant to clarify certain responses.

If after review and making additional contacts, the ADA Eligibility staff is still unable to determine the functional limitations of the applicant, they may refer the applicant to a medical professional. The medical professional may be a clinical social worker, independent living specialist, occupational

therapist, psychiatrist, physical therapist, rehabilitation specialist, audiologist, ophthalmologist, registered nurse, psychologist, physician or other professional who can assess the functional limitations of persons with disabilities.

When an application is received, the medical professional shall review the application and make a recommendation. If necessary, the medical professional may conduct a telephone or in-person interview with the applicant. The recommendation of the medical professional shall be forwarded to the ADA Eligibility staff who shall determine the eligibility of the applicant.

4. Timing: A complete application shall be processed and a determination issued within 21 calendar days of receiving a completed application. If the review process is unable to be completed within 21 days, the applicant shall be given temporary eligibility until the applicant is notified of his or her eligibility status.
5. Notice of action: The ADA Eligibility staff shall notify applicants in writing that they have been granted or denied ADA Paratransit Eligibility.

If an applicant is denied ADA Paratransit Eligibility, the ADA Eligibility staff shall notify the applicant in writing stating the specific reason or reasons eligibility was denied. The letter shall include information regarding the Administrative Appeals Process. Blind or visually impaired applicants shall receive materials in appropriate alternate formats.

## II ELIGIBILITY APPEALS PROCESS

- A. Reference - Section 37.125 (g) – ADA Paratransit Eligibility: Process
- B. Policy - Applicants who are denied ADA Paratransit Eligibility or who have been given conditional eligibility may appeal the determination.
- C. Appeals Process -
  1. Submission of an appeal: The applicant initiates an appeal by writing a brief, one-page letter stating that he or she wishes to appeal the decision. If the person's disability prevents him or her from writing a letter, the person may initiate an appeal by contacting CAT's Transportation Manager by telephone (928-634-2287).

Appeals should present information that would support a reconsideration of the application. The appeal may identify other persons who could support the case for reconsideration.

2. CAT Action: When a letter or phone call requesting an appeal has been received, CAT shall schedule a hearing before the Appeals Review Board.
3. The Appeals Review Board: An independent Appeals Review Board shall be formed to review all appeals. The members of the board shall have had no involvement in the initial eligibility determination but shall be generally familiar with the goals and objectives of the ADA Paratransit Eligibility Program. No member of the Board shall directly supervise any staff member that made the original eligibility determination.
4. The appeals process: A person making an appeal shall be given the opportunity to present additional information to the Appeals Review Board. The information presented may be written information, personal testimony, and verification from a credible witness, or presented in any other format that may add clarification to the person's functional limitations.
5. Appeal determination: The determination of the Appeals Review Board shall be provided in writing. Appropriate alternate formats shall be provided. If the denial is upheld, the letter shall state the specific reason or reasons for the determination.
6. Timing: An appeal must be submitted within 60 calendar days of the date of the letter of denial. A determination on the appeal shall be made within 30 calendar days of the date of the hearing.
7. Eligibility Pending Appeal Determination: If a determination is not made within 30 days of the administrative hearing, the person shall be given temporary ADA Paratransit Eligibility until a determination is made.

### III RECERTIFICATION

#### A. Reference

Section 37.125 (f) – ADA Paratransit Eligibility: Process

- B. Policy – Persons with ADA Paratransit Eligibility shall recertify at least once every three years. Persons with a temporary or conditional eligibility may request recertification if they believe their condition has changed significantly. CAT reserves the right to require recertification of an ADA Paratransit Eligible person at any time.
- C. Notification – CAT shall notify an ADA Paratransit Eligible person approximately 60 days before the end of the eligibility period. The process for evaluating the application shall be the same as described in Section One, “ADA Paratransit Eligibility” above.

#### IV SUSPENSION OF SERVICE

- A. Reference: Section 37.125 (h), *ADA Paratransit Eligibility: Process*, Page 45635. Also, Appendix D to Part 37, Subpart F, Section 37.125, *ADA Paratransit Eligibility – Process*, Page 45747.
- B. Policy:
1. An ADA eligible person who engages in violent, seriously disruptive or illegal conduct, to themselves or others, while receiving ADA paratransit service shall be refused ADA paratransit service.
  2. A person with ADA Paratransit Eligibility who establishes a pattern of late cancellations may have his or her ADA paratransit service suspended.
  3. *Pattern or Practice:* A “pattern or practice” is established when an ADA eligible person has three (3) late cancellations or no shows in a one month period. Once a “pattern or practice” is established during a month, each additional late cancellation or no show is subject to sanction. A rider may only have disciplinary actions taken against them for late cancellations and no shows.

##### *Types of Cancellations:*

- *Late Cancellation:* Client called to cancel trip but the time of the call is within 2 hours of the scheduled pick up time.
- *Cancel at Door:* Client cancelled after the driver arrived due to circumstances beyond the client’s control. (i.e. Client has become sick, has fallen, etc)
- *Same Day Cancel:* Client cancelled trip on the same day as the ride, prior to the 2 hour window.
- *No Show:* Driver arrived at the point of pick up but client wasn’t there or decided not to ride.
- *Missed Trip:* Client was not present for trip where there were multiple client pickups at the address. (i.e. Group trips from the Manor, Senior Center, etc.)

*Suspension:* When an ADA eligible person has established a pattern or practice of late cancellations and or no shows, he or she may have service suspended or terminated.

##### *How does it affect the Rider?*

Customers should expect:

1. A warning letter after three late cancellations or no shows combined in any one month.



2. One week suspension if there is another late cancellation or no show in the next month.
3. After the week's suspension, service will be reinstated.
4. Any further late cancellations or no shows may result in a one month suspension of service.
5. Additional late cancellations or no shows may result in termination of service.

Service will be reinstated after arrangements have been determined between the customer and the Transportation Manager.

The Appeals Process above may be requested by a client who feels they should not be suspended from service also.

## V ADA PARATRANSIT SERVICE FOR VISITORS

### A. Reference

Section 37.127 Complementary Paratransit Service for Visitors

- B. Policy – CAT shall provide ADA paratransit service within the ADA service area to all ADA Paratransit Eligible visitors for a period of 21 calendar days.
- C. Visitors – 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.
- D. Procedure
  1. Documentation: Visitors may request Paratransit service by:
    - Showing their ADA Eligibility Identification Card issued by the jurisdiction in which they permanently reside.
    - Visitors shall be requested to provide the ADA Specialist with information that will be put into the booking software and used by dispatchers.
  2. Length of visitor's Cottonwood eligibility: Visitors shall be provided up to 21 days of Paratransit service during any 12 month period. The 21 days begins with the visitor's first ride on Paratransit. The 21 days may be continuous or may be a combination of visits to the Cottonwood area totaling 21 days.
  3. Contacting CAT: A visitor may either contact CAT upon arrival or before arrival in the Cottonwood area. Before arrival contact may be by

telephone, mail or fax. If a visitor chooses to apply in person, Paratransit may provide the visitor a ride to the office.

After the first contact with CAT, visitors shall be sent a Paratransit brochure and instructions for completing an application for eligibility if the visitor plans to spend more than 21 days in the Cottonwood area

## VI PCA (PERSONAL CARE ATTENDANTS) AND COMPANIONS

### A. Reference

Section 37.123 (f) ADA Paratransit Eligibility: Standards

Section 37.125 (I) ADA Paratransit Eligibility: Process

Section 37.131© Service Criteria for Complementary Paratransit: Fares

- B. Policy – An eligible person’s PCA (Personal Care Attendant) shall be provided a trip free of charge as long as the PCA is riding with an eligible person. A companion of an eligible person shall also be provided a trip but shall pay the same fare as the eligible person. A second companion, however, shall be provided a trip only if space is available. PCAs and companions shall have the same origin and destination as the eligible person.
- C. PCA (Personal Care Attendant) – A PCA is someone specifically designated or employed to help the eligible person meet his or her personal care needs and is considered a “mobility aid” similar to a wheelchair or cane. A PCA may be a friend or family member.
- D. Service Animals and Pets – Eligible persons will inform Paratransit of their intent to use a service animal. Pets are welcome as long as the pet is in a pet carrier and the eligible person can carry the carrier with the pet inside it. Pets and service animals must be able to be controlled. Larger pets will be accommodated as long as they can be controlled and do not alarm or annoy other passengers. See separate service animal policy for additional details.
- E. Companion – A companion is a friend, family member, business associate, date, etc. A companion is not a PCA unless the eligible person regularly uses a PCA and the companion is actually acting in that capacity. Unless the eligible person states that he or she uses a PCA, any individual accompanying the eligible person shall be regarded as a companion and shall pay a fare.