



Understanding ADA Eligibility

Revised July, 2015

Americans with Disabilities ACT (ADA) Complementary Paratransit Eligibility Determination and Appeals Process

The following describes Yuba-Sutter Transit's process for determining ADA complementary paratransit eligibility.

Note: The following information about the process, all materials necessary to apply for eligibility, and all notices concerning eligibility will be provided in accessible formats upon request. For more detailed information, contact Yuba-Sutter Transit at (530) 634-6880.

No Fees

No fees will be imposed on applicants for eligibility. Yuba-Sutter Transit will provide transportation without charge, if needed, to and from any appointments required by the eligibility determination process. This includes in-person interviews and trips to obtain photo IDs that may be required to use the service.

Note: Applicants should not be required to pay for information from a medical professional, if providing such information is a required part of the process. Applicants are not required to supply their own photos for photo identification cards.

Twenty-One (21) Day Process

Applicants have a right to service if eligibility decisions take longer than twenty-one (21) days.

Yuba-Sutter Transit will make reasonable efforts to determine an applicant's eligibility within twenty-one (21) days of receiving a completed application form. If Yuba-Sutter Transit has not made a

determination of eligibility by a date 21 days after the submission of an individual's completed eligibility application, the applicant will be treated as eligible and provided service unless and until the application is denied.

In addition to the written application, Yuba-Sutter Transit may request that some applicants participate in an in-person interview to more thoroughly evaluate their eligibility. Scheduling and conducting in-person interviews are considered part of the information-gathering process. If an applicant does not come to his or her interview appointment, the 21-day clock is stopped, and does not start again until the person participates in the interview.

Adequate Information

Yuba-Sutter Transit will make reasonable efforts to make a correct initial determination based on the information given and/or gathered during the initial application process. Staff may contact applicants and/or professionals to follow up on apparent inconsistencies in the written application and gather more information for consideration. Yuba-Sutter Transit will not deny eligibility solely based on inconsistent or unclear information in written applications.

Not Overly Burdensome

While it is important to be accurate and thorough when making eligibility determinations, the process may not be overly burdensome for applicants. When possible, Yuba-Sutter Transit will complete all the required elements of the eligibility process in a single appointment or visit. If an in-person interview is deemed necessary, and applicants must travel to and from the interview assessment site, only one trip will be required.

Eligibility Determination Letters

Determinations of eligibility will be documented in writing to the applicant, stating clearly whether someone is ADA paratransit eligible. This documentation will also include the name of the eligible individual, the telephone number of the contact person at Yuba-Sutter Transit, an expiration date for eligibility (if applicable), and any conditions or limitations on the individual's eligibility, including the use of a personal attendant.

If eligibility is denied or even limited (for example, limited to conditional or temporary eligibility), the letter will provide the reasons in detail, so there is a clear basis if the applicant wishes to appeal the

decision. This written statement will also include information about the appeals process, including how to file an appeal.

Appeal Process for Denials of Eligibility

Yuba-Sutter Transit has established a local appeal process through which individuals whose eligibility has been denied or limited (for example, given conditional or temporary eligibility) can obtain review of the denial.

When applicants request appeals, an informal review of the eligibility denial will be made by the Transit Manager or a designated supervisor (not involved in the initial determination). If the internal, informal review finds that an error was made in the initial determination, and the decision is changed, a formal appeal can be avoided. Any such informal reviews will be noticed to the applicant.

Yuba-Sutter Transit requires that formal appeals be filed within 60 days of the eligibility denial. If an applicant misses this deadline, he or she may reapply at any time for eligibility, and then, if denied again, may file an appeal.

Applicants may file a formal appeal in writing or present information and arguments in-person. If the applicant needs transportation to the appeal, Yuba-Sutter Transit will provide it.

Written appeals should be mailed or delivered to the following address:

Yuba-Sutter Transit Authority
ATTN: Transit Manager
2100 B Street
Marysville, CA 95901

The decision on a formal appeal will be made by a designated member or members of the Yuba-Sutter Transit Board of Directors, no later than the next regularly scheduled meeting of the Board of Directors. Yuba-Sutter Transit staff and/or Board members involved in making appeals decisions will receive training on relevant ADA paratransit issues prior to hearing appeals.

If Yuba-Sutter Transit has not made a decision within 30 days of the completion of the appeal process, service will be provided from that time, until and unless a decision to deny

the appeal is issued. Written notification of the result of the appeal will be provided to the applicant, with detailed, specific reasons stated.

If the person filing the appeal received ADA paratransit service in the past, but was denied eligibility during recertification, Yuba-Sutter Transit will continue to provide paratransit service during determination of the appeal.

Recertification

Yuba-Sutter Transit may require recertification of eligibility at reasonable intervals. Riders will be notified in writing of the need to reapply in order to avoid lapses in eligibility. The appeals process, as discussed above, applies to recertification.

Yuba-Sutter Transit may determine long-term eligibility to unconditionally eligible riders whose functional ability is not expected to change over time.

Visitors

A visitor is anyone with a disability who does not reside in the jurisdiction(s) served by Yuba-Sutter Transit, or by other transit agencies within the region with which Yuba-Sutter Transit provides coordinated paratransit. Yuba-Sutter Transit will provide paratransit service to a visitor for up to a combined twenty-one (21) days per 365-day period, starting from the first day of use. Yuba-Sutter Transit may require, in order for the person to continue receiving paratransit service beyond twenty-one (21) days within the same year, that he or she apply for eligibility in the same manner as would a resident. This is true whether the 21 days are consecutive or parceled out over the 365-day period.

Any visitors presenting documentation that they are ADA paratransit eligible in their home jurisdiction will be treated as eligible and no further documentation will be required. If a visitor does not have documentation of ADA paratransit eligibility, Yuba-Sutter Transit may require documentation of the individual's place of residence. If the visitor's disability is not apparent, documentation of disability may also be required. But no documentation of disability may be required if the visitor's disability is apparent, such as, for example, a person using a wheelchair, or an individual who is blind or has a vision impairment and travels with a guide dog. In such cases, Yuba-Sutter Transit will provide paratransit service to the individual.

Anyone can obtain information about how to contact the ADA paratransit provider in another U.S. city by calling Easter Seals Project ACTION at (800) 659-6428, or may find the information using the Project ACTION Travelers Database Search at http://projectaction.easterseals.com/cgi-bin/traveler_search.cgi. Another useful way to find transit providers is the Resource Library of the American Public Transportation Association. APTA's on-line listing of United States Local and State Transit Links is at www.apta.com/resources/links/unitedstates/Pages/default.aspx. The local transit agency should be able to guide riders to the local ADA paratransit provider.