

TACT 125: ADA Complementary Paratransit Policy



Policy: Mid-County Transit Authority dba Town and Country Transit (TACT) has established eligibility policies and program procedures for ADA Complementary Paratransit riders to comply with Federal Transit Administration (FTA) and Pennsylvania Department of Transportation (PennDOT) ADA regulations.

Purpose: TACT has established written policies for ADA Complementary Paratransit service, which are distributed upon request to ADA Complementary Paratransit customers and are available on the TACT web site.

Scope: This policy affects all ADA Complementary Paratransit services provided by Town and Country Transit.

Service Parameters

1. Contact Information

Town and Country Transit
Attn: Assistant Executive Director
220 North Grant Avenue
Kittanning, PA 16201

Email: info@tactbus.com

Phone: 724-548-8696
or 800-245-5255

Fax: 724-545-3356

Website: www.tactbus.com

Facebook: facebook.com/tactbus

2. Service Area Defined

- a. TACT provides service to the following municipalities: Applewold, Kittanning, Ford City, Manorville, and West Kittanning as well as portions of East Franklin and Manor Townships.
- b. TACT shall provide complementary paratransit service to origins and destinations within $\frac{3}{4}$ (three-fourths) of a mile on either side of any fixed

route. The corridor shall include an area with three-fourths of a mile radius at the ends of each fixed route.

3. Hours and Days of Service

- a. TACT Fixed Route Service Hours include:
 - i. Monday through Friday: 6:30 am – 7:25 pm
 - ii. Saturday: 8:00 am – 4:00 pm
- b. Reservation Hours include:
 - i. Monday through Friday: 8:00 am – 3:45 pm
 - ii. Sunday: 8:00 am – 3:45 pm (voicemail only available)
 - iii. Voice mail available 24 hours a day for reservations or cancellations
- c. Reservation Deadline: **3:45pm on the day prior to the trip requested**

4. Scheduling Trips

- a. TACT may negotiate pickup times with the individual, but TACT shall not require an ADA paratransit eligible individual to schedule a trip to begin more than one hour before or after the individual's desired departure time.
- b. TACT may permit advance reservations to be made up to 14 (fourteen) days in advance of an ADA paratransit eligible individual's desired trips.

5. Fares

- a. The fare shall be twice the established fixed route fare.
- b. Fares are to be paid upon entering the vehicle. Exact change is required; drivers do not make change.
- c. Personal Care Attendants (PCA) are not charged for complementary paratransit service; however, trip reservations must specify that the passenger will be accompanied by a PCA. PCA eligibility is determined during the application process, or by written request thereafter.
- d. Companions are charged the same fare as the paratransit eligible individual they are accompanying; however, trip reservations must specify that the passenger will be accompanied by a companion at the time of reservation.

6. Trip Purpose Restrictions

- a. TACT shall not impose restrictions or priorities based on trip purpose.

7. Capacity Constraints

TACT shall not limit the availability of complementary paratransit service to ADA paratransit eligible individuals by any of the following:

- a. Restrictions on the number of trips an individual will be provided;
- b. Waiting lists for access to the service; or
- c. Any operational pattern or practice that significantly limits the availability of service to ADA paratransit eligible persons. Such patterns or practices include, but are not limited to, the following:
 - i. Substantial numbers of significantly untimely pickups for initial or return trips;
 - ii. Substantial numbers of trip denials or missed trips;
 - iii. Substantial numbers of trips with excessive trip lengths.

Operational problems attributable to causes beyond the control of TACT (including, but not limited to, weather or traffic conditions affecting all vehicular traffic that were not anticipated at the time a trip was scheduled) shall not be a basis for determining that such a pattern or practice exists.

8. Personal Care Attendants (PCAs)

- a. A PCA is an able-bodied person of at who is able provides personal care and/or assistance necessary to a person with a disability.
- b. PCAs do not pay a fare when accompanying a person with a disability on a complementary paratransit trip.
- c. The person with a disability is limited to one (1) PCA per trip.
- d. Persons with disabilities must state that a PCA will accompany them when they request their trip(s) to be scheduled and identify the PCA by name.
- e. Persons with disabilities are generally not required to travel with a PCA. However, if a person with disabilities engages in violent, seriously disruptive, or illegal conduct, TACT reserves the right to require a PCA to accompany the person with a disability on trip(s) requested.
- f. PCAs must board and alight at the same time and at the same location as the person they assist.

9. Companions

- a. A companion is a family member, friend, or business associate who is traveling with a person with a disability but does not provide personal care services. A person with a disability may be accompanied by a companion.
- b. Additional companions are permitted to accompany the person with a disability on a space-available basis.
- c. Persons with disabilities must state the number of companions to accompany them when they request their trip(s) to be scheduled.
- d. Companions must pay the full transit fare when accompanying a person with a disability on a complementary paratransit trip.
- e. Companions must board and alight at the same time and at the same location as the person they accompany.

10. Oversight of Eligibility Process

- a. Eligibility for TACT's ADA Complementary Paratransit service is determined by a designee by TACT Management, who has been trained in the requirements of *Title 49 CFR 37.125 (ADA Paratransit Eligibility)* and TACT ADA eligibility processes and procedures.
- b. For persons determined to be eligible for ADA Complementary Paratransit service, an eligibility letter will be mailed to the applicant containing the following information:
 - i. The applicant's name;
 - ii. TACT's name, address and contact information;
 - iii. The telephone number of TACT's paratransit coordinator;
 - iv. An eligibility expiration date;
 - v. Any conditions or limitations on the applicant's eligibility, including the use of a Personal Care Attendant.
- c. All ADA eligibility policies and procedures that have been approved by the Board of Directors as required by TACT.

11. Application Procedures

The process for determining eligibility for TACT's ADA complementary paratransit service is based on evaluation of the applicant's functional ability, not on any medical or diagnostic criteria, and includes evaluation by a medical doctor or a rehabilitation professional.

TACT has two categories of ADA Complementary Paratransit eligibility: unconditional and temporary. Unconditional eligibility means that a person

with a disability is approved for ADA Complementary Paratransit trips for a period of not less than two (2) and not more than five (5) years depending on the applicant and potential for future change in the applicant's functional ability. Temporary eligibility may be approved for the length of time a customer is unable to utilize TACT's fixed routes; for example, a customer breaks a leg that is expected to heal in a relatively short time.

- a. Applications are available by calling TACT Customer Service at 724-548-8696 or 800-245-5255. All requests for Transportation Services Application are logged in to the TACT eligibility database. The application contains Parts A – K1 (to be completed by the applicant) and Part K2 (to be completed by a professional who is familiar with the applicant's disability). Applications must be submitted by mail or in person; faxes are not accepted.
- b. A person with a disability who intends to travel with a PCA is required to make a statement to that affect as part of TACT's application process (Part G).
- c. A person with a disability who has previously been determined to be eligible for ADA Complementary Paratransit service and who subsequently wishes to be accompanied by a PCA is required to submit an additional application and be re-evaluated for eligibility.

12. Public Information

- a. A brochure explaining eligibility for TACT's ADA Complementary Paratransit service is included with the application packet and is available throughout TACT's service area at key human service agencies.

13. Eligibility for other Shared-Ride Programs

- a. Requests for TACT's ADA Complementary Paratransit service eligibility must be accepted and considered, regardless of the applicant's eligibility for any other TACT services including: Shared Ride, MATP, and PwD.
- b. TACT will inform applicants of other transportation offerings within the coordinated system; offer to assist with applications, as appropriate; and provide mobility management counseling to ensure that individuals understand their options for various types of trips. However, individual and trip eligibility for ADA Complementary Paratransit is not based on eligibility

for any other program and must be granted based on the regulatory criteria.

14. Personal Care Attendant (PCA) Eligibility

- a. As part of the application process, the applicant must request approval for a PCA to accompany them on ADA Complementary Paratransit trips. Need for a PCA will be determined by the certifying professional who completes Part K2 of the Transportation Services Application. .

15. Incomplete application

- a. All applications must be completed in their entirety. Applications received which are incomplete, unsigned, or have unanswered questions are returned to the applicant with written instructions for completion. Returned incomplete applications are logged into the TACT database.

16. Consideration of Home Address

- a. An applicant's home address alone is not a basis for granting or denying ADA eligibility. The eligibility decision is based on independent functional ability to use the fixed route system, not proximity to a bus stop or place of residence. Any individual with a disability who lives within TACT's service area may apply. People who live or travel outside the ADA service area will be informed in writing of their personal eligibility and the requirement that all trips begin and end within the service area.

17. Visitor Eligibility

- a. Individuals who live outside TACT's jurisdiction may apply for visitor status to use TACT's ADA Complementary Paratransit service while in the area for a maximum of twenty-one (21) days. No verification of disability is required if the applicant's disability is apparent. If the applicant's disability is not apparent, verification from a health care provider must be presented in advance. Verification of ADA Complementary Paratransit eligibility from another transit system is also accepted. Following the initial 21-day period, the application must be completed to continue transportation services. Twenty-one days of eligibility within a 365-day period is provided to qualified visitors with disabilities.

18. Timely Decisions

- a. It is the policy of TACT to make ADA eligibility determinations as promptly as possible, but within 21 days of the receipt of a completed application. Public information about the eligibility process includes this requirement. If an eligibility decision cannot be issued within 21 days, the TACT's ADA eligibility coordinator will contact the applicant by phone on the 21st day and advise them of their presumptive eligibility and right to use the service until such time as the applicant is notified of his or her eligibility.
- b. TACT maintains a database for applications, including a mechanism to track the 21-day notification deadline.

19. Notification of denial, conditional, temporary, or full eligibility

- a. Determination letters issued by TACT will include the specific reasons for denial, conditional, or temporary eligibility in specific enough detail to permit the applicant to prepare for an appeal, if desired. Under no circumstances will it be sufficient to state "you have been determined able to use the bus". Denial, conditional, and temporary decisions and correspondence will be reviewed by the Executive Director prior to mailing.
- b. Letters will also include information about the right to appeal, to be heard in person, and the appeal form.

20. Appeal Process

- a. Individuals who have been determined ineligible, conditional, or temporarily eligible have the right to appeal the limitations based on their ADA eligibility. The right to appeal is explained in the determination letter, and the appeal process policy and request for appeal form is included with the determination letter.
- b. All appeals must be filed within 60 (sixty) calendar days of the initial determination. The applicant's failure to meet the deadline terminates the appeals process. Applicants are required to complete and submit the request for appeal form but do not have to provide any additional written information if they choose not to.
- c. Upon receipt of a request for appeal, TACT will conduct an administrative review on the day the appeal is received. Requests for appeal will be reviewed by someone other than the TACT official who made the initial

- eligibility determination. If there is sufficient information contained in the appeal form to reverse the initial decision, TACT will issue a determination letter advising the applicant of their successful appeal.
- d. If there is not sufficient information contained in the appeal form to reverse the initial decision, the applicant's complete file and any information submitted with the appeal will be reviewed by a TACT official on the following business day. This will not be the same person who made the initial eligibility determination.
 - e. The official considering appeals will have 10 (ten) calendar days to consider the information. If there is not sufficient information in the appeal to make a decision, they will notify the applicant of the next in-person hearing date and of the opportunity to present an appeal in person. If the applicant declines the hearing, the official considering appeals will make a decision on the information available.
 - f. If, after initial review of the appeal, the appeal decision is for anything less than full eligibility, the applicant will be notified of the right to appear at the next in-person hearing date. In-person hearings are held on the second Tuesday of each month if there are appeals to be heard. If requested, transportation to the hearing will be provided to the applicant at no cost.
 - g. If the applicant requests a hearing and fails to appear at the time scheduled, the original decision will be considered final and the appeals process terminated.
 - h. The applicant has the right to decline the hearing, in which case the original decision will be considered final and the appeals process terminated.
 - i. Following a hearing, a decision will be rendered within 5 (five) calendar days of the hearing date and the applicant will be notified by mail. TACT's failure to meet the deadline will result in presumptive eligibility for the applicant until such time as a decision is rendered.

21. Recertification

- a. It will be the policy of TACT to grant unconditional eligibility for a period of not less than two and not more than five years depending on the applicant and potential for future change in the applicant's functional ability. Ninety days prior to expiration, the applicant will receive a recertification form to complete and return to TACT. There will be no requirement to provide

additional information from a health care provider. If the recertification form is not received within 30 (thirty) days of the expiration date, the applicant will receive a reminder letter advising them that their eligibility will lapse if they fail to complete the recertification process.

- b. If there appears to be a significant change in functional ability that would result in conditional or denial of eligibility, the TACT ADA eligibility coordinator may contact the individual and request additional information from professionals as necessary in order to make an accurate determination. If, as part of the recertification process, an applicant moves from unconditional to conditional eligibility, the new eligibility status will not take effect for 60 (sixty) days to provide ample time for the applicant to appeal.

Revision History:

Revision	Date	Description of changes	Requested By
0.0	11/18/2015	Initial Release	Patti Lynn Baker General Manager
1.0	07/01/2019	Update logo, font, formatting, FR times	Tiffany Chaffee Operations Manager
2.0	06/14/2023	Update logo, font, formatting, and minor changes	Patti Lynn Johnston Executive Director