

**Metro**

SEPTEMBER 18, 2006

**TO:** BOARD OF DIRECTORS

**THROUGH:** ROGER SNOBLE  
CHIEF EXECUTIVE OFFICER

**FROM:** JOHN B. CATOE, JR.  
DEPUTY CHIEF EXECUTIVE OFFICER

**SUBJECT:** ACCESS SERVICES RECERTIFICATION ELIGIBILITY  
PROCESS

**ISSUE**

The Access Services recertification eligibility process has changed recently. This report provides background information on the recertification process in the event some Board members receive complaint calls from Access Service riders.

**DISCUSSION**

Initially the Access Services' eligibility process was determined based on an individual submitting an application, completing an in-person interview and minimal functional testing.

Functional assessments were included in the original paratransit plan and have always been a part of the evaluation process to varying degrees. In 2002, functional assessments started becoming a standardized part of the evaluation and in 2004 the simulated transit evaluation was standardized so all applicants were evaluated consistently. The simulated transit evaluation was implemented to make sure that the resources used to provide ADA Paratransit service (average trip cost of over \$30.00 versus fixed-route cost for the region of under \$2.50 per trip) was available to those who really needed the service based on their disability preventing them from utilizing the fixed route system as stated in the 4Americans with Disabilities Act of 1990.

Access Services changed its eligibility recertification process in 2005 after an audit was completed by Metro's Internal Audit Department and approval by the Access Board of Directors on June 27, 2005. The audit recommended 100% recertification. Prior to this, the process was that one-third of the certified riders would be selected randomly each year for an in-person recertification interview. This procedure was changed so that all currently eligible riders whose eligibility is expiring must complete a full-functional evaluation in order to be recertified as being eligible for Access Paratransit service. For recertification the rider receives a notification 45 days before the expiration of their

eligibility that instructs them to call CARE (the eligibility contractor) to set up an appointment for an in-person interview/functional assessment. Once the Transit Evaluation is completed eligibility is determined based upon the ADA eligibility criteria as set forth in the Americans with Disabilities Act of 1990. A medical verification may be requested when the disability is of a nature that cannot be discerned by the evaluator. The medical verification will not establish eligibility. The in-person interview and the functional assessment are taken into account in order to determine an individual's eligibility.

Access Services' strict adherence to ADA eligibility criteria and the revised 100% in person evaluation for recertification has caused a lot of concern and discussion within the disability community. There is the potential for a rider to have been using Access Services for the past 12 years to be "denied" eligibility upon recertification. Access Service riders can appeal any denial or restricted eligibility that is granted per the ADA regulations. The table below illustrates the number of eligibility determinations performed, the types of determinations granted and the results of the appeal process as of July 25, 2006. The eligibility denial rate initially increased in 2004 but has now leveled off and has even decreased due to the large number of recertifications performed annually. All current riders are expected to have completed the recertification process by September 30, 2008.

<b>REPORT: ELIGIBILITY DETERMINATIONS</b>	<b>FY01-02</b>	<b>FY02-03</b>	<b>FY03-04</b>	<b>FY04-05</b>	<b>FY05-06</b>
UNRESTRICTED	13,606	20,160	25,266	16,618	14698
RESTRICTED	110	152	65	516	2086
TEMPORARY	4,177	4,677	3,052	1,849	1690
NOT ELIGIBLE	2,813	2,458	3,513	4,988	4161
<b>TOTAL</b>	<b>20,706</b>	<b>27,447</b>	<b>31,896</b>	<b>23,971</b>	<b>22,635</b>
<b>APPEAL DETERMINATIONS</b>	<b>FY01-02</b>	<b>FY02-03</b>	<b>FY03-04</b>	<b>FY04-05</b>	<b>FY05-06</b>
APPEALS REQUESTED	956	834	904	1,132	1469
CLOSED (withdrawn/closed + completed) (May exceed total requested due to carry over from previous reporting period)	979	947	912	1,025	1332
WITHDRAWN/CLOSED	269	251	224	360	459
INITIAL DETERMINATION INCREASED	569	510	404	248	318
INITIAL ELIGIBILITY DECREASED	0	2	5	4	6
INITIAL ELIGIBILITY MAINTAINED BUT MODIFIED	1	3	4	6	24
<b>SUBTOTAL</b>	<b>570</b>	<b>515</b>	<b>413</b>	<b>258</b>	<b>348</b>
INITIAL DETERMINATION UPHELD	138	179	275	407	525
% Upheld	19.49%	25.83%	39.97%	61.20%	60.14%
<b>NET DENIED RATE (Initial and appeal determinations)</b>	<b>10.83%</b>	<b>7.08%</b>	<b>9.72%</b>	<b>19.73%</b>	<b>16.85%</b>