

## **RTAP Peer Roundtable:**

**What to do when you're asked to do work beyond what's expected of you as a public transport professional.**

9/13/23

10-11:30 am CT

### **Attendees:**

1. Annette Punt, UCAP
2. Gary Ludwig, Trailblazer Transit
3. Jeremy Monahan, Prairie Lakes Transit
4. Kayla Sullivan, Transit Alternatives
5. Lori Van Beek, MAT Bus
6. Michelle Miranowski, UCAP
7. Nick Leske, UCAP
8. Paul Coyour, Prairie Five RIDES
9. Ron Decker, TRUE Transit
10. Shannon Dorenkamper, UCAP
11. Melinda Estey, MnDOT OTAT
12. Tina Neary, MnDOT OTAT
13. Cathleen Amick, MnDOT OTAT
14. Mariah Kathan, MnRTAP
15. Rae Farley, MnRTAP

### **Challenges**

- Ensuring that you are compliant with all ADA requirements when asked to transport a passenger with medical needs requiring a PCA, when that passenger does not have a PCA. How to maintain compliance while also not asking your drivers to make unreasonable accommodations that could injure them or the passenger.
- Wheelchair lift weight limits and how to navigate that with passengers, while maintaining compliance with the ADA.
- Regulatory guidance can be conflicting and confusing. Clear examples of scenarios and sample policy wording from MnDOT would be helpful.

### **Solutions**

- Establish guidelines that are approved by your board that allow your agency to make appropriate approvals of who may or may not be transported. This is oftentimes a

problem in rural transit when dealing with medically related transit and those individuals requiring PCA assistance.

- Put in place operating policies that reasonably explain what things fall outside of your operating requirements as a public transit agency.
- Check with Jean at MnDOT about any policy language to make sure it is compliant with federal regulations.
- Use a questionnaire when a ride is requested. Do you need driver assistance, do you have an attendant/ assistant, do you have mobility issues (i.e. wheelchair etc.).
- Have a manager on the scene when transporting someone in a wheelchair if there are concerns about the lift weight capacity.
- Have well-defined policies recommending the use of a personal care attendant. These policies help protect the bus drivers from liability with medical transit. An example of a part the policy shared: “[Name of Transit Agency] personnel are not able to provide PCA assistance, so it is highly recommended that a PCA attendant be available with the traveler if assistance is needed.”
- Inform your riders about the differences between paratransit service and general public transit service.
- Call into dispatch when an issue arises so a supervisor can advise on what to do if necessary.
- The dispatcher can ask questions about the weight of the mobility device prior to the trip to pre-empt lift weight capacity issues.
- Confirm with MnDOT what the ADA requirements are for trip denials based on exceeding the weight capacity of the lift.
- If you have different lift weight capacities on different buses, then it can be helpful for your dispatchers to have that information when assigning rides.
- One agency has nursing homes fax an information sheet asking for the wheelchair size. If they select an oversize wheelchair, then they contact the provider for more detail.
- Contact your peers individually to share resources, discuss best practices, and share ways to approach difficult conversations.
- Include information in your driver training and driver handbook about what to do when different scenarios arise.
- One person recommended having a clearly written policy that “Our lifts are designed up to [this] capacity. We have reason to believe that your combined weight with that of your chair is exceeding that limit given how it is impacting our lift. At this point, we feel it is a safety hazard. Safety comes above all else. When we feel passengers or staff are at risk, this is the path we have to take” and keep documentation showing that the ride was not safe.
- Keep a list of other STS or NEMT transit providers for referrals.

## **Suggestions for Phrasing:**

One agency shared this example:

“Here is what we had in our operating policies prior to our Comprehensive Review through the consultants hired by the state:

*[Transit Agency] reserves the right to require a personal care attendant or assistant when transporting a passenger that could pose an unsafe situation for either the driver or any of the passengers*

Here is what we had to change it to:

*[Transit Agency] Personnel are not permitted to perform PCA functions, so it is strongly recommended that a passenger travel with a PCA if they need such assistance.”*

## **Next Steps:**

- Talk to MnDOT’s compliance manager about concrete ADA guidance based on different scenarios.
- More training or resources to understand the definition of reasonable accommodation.

## **Process Observer Report:**

- Fun icebreaker questions were helpful
- Leave 15-20 minutes at the end to address topics outside of the roundtable topic

**Next Roundtable:** October 11, 2023