

YORK REGION TRANSIT MOBILITY PLUS ELIGIBILITY APPEAL PANEL TERMS OF REFERENCE

1.0 MANDATE

The York Region Transit Mobility Plus Eligibility Appeal Panel shall be established to hear appeals from applicants who have been deemed ineligible to receive Mobility Plus service. The appeal process is intended to ensure that applications are dealt with in a fair and transparent manner, and decisions are made in accordance with established criteria.

1.1 York Region Transit Mobility Plus Mandate

YRT Mobility Plus provides specialized public transit services to individuals who, due to a physical or functional limitation, are unable to use conventional transit services.

2.0 DEFINITIONS

2.1 “appeal” means:

to apply for review of an application by the York Region Transit Mobility Plus Eligibility Appeal Panel after an applicant has been deemed ineligible. The appeal must concern a decision regarding eligibility, level of eligibility, or type of assistance required. Three (3) conditions must be met before the Eligibility Appeal Panel accepts an application for review:

- (a) The appeal must be made within 40 days following receipt of the initial decision;
- (b) The appeal must be made by the applicant or his/her representative;
- (c) The decision contested must be based on the analysis of the complete file including the original application.

2.2 “conventional” means:

- (a) fixed routes that may or may not use low-floor, accessible buses;
- (b) passengers must be able to get themselves to and from the bus stop;
- (c) passengers must be able to board/alight 3 steps.

2.3 “medical practitioner” means:

Someone who practices medicine as a licensed physician, or who is a licensed optometrist/optamologist, certified rehabilitation specialist, chiropractor, physiotherapist, registered occupational therapist, licensed physical therapist, registered nurse, certified psychologist, or a social worker.

2.4 “person from the disabled community” means:

Someone with a physical disability, or functional limitation, including visual, sensory or cognitive disabilities.

**YORK REGION TRANSIT MOBILITY PLUS ELIGIBILITY APPEAL PANEL
TERMS OF REFERENCE**

2.5 “physical or functional limitation” means:

any condition, either short term or long term (e.g. paraplegia), that prevents the individual from using conventional transit services and may include physical, visual, sensory, and cognitive disabilities, as well as individuals undergoing dialysis treatments. Individuals with cognitive disabilities, such as Alzheimers and Downs Syndrome, are eligible for service to and from day programs and work placements only.

2.6 “shared-ride” means:

- (a) the linking of two or more passengers into a single vehicle;
- (b) other customers may be on board during the trip;
- (c) route of travel may be altered so other customers can be accommodated;
- (d) vehicle may stop and pick up other passengers as it travels to a destination all within the parameters set by the Region.

2.7 “specialized” means:

pre-booked, shared-ride, door-to-door transit services.

3.0 RESPONSIBILITY

The primary responsibility of the Eligibility Appeal Panel is to review applications for use of the Mobility Plus Service.

The Eligibility Appeal Panel will base its decision on an appeal on the basis of new information provided by the applicant and/or a clarification of previously submitted information.

Appeals based simply on compassionate grounds will not be considered.

The Eligibility Appeal Panel may be asked to review the application form and suggest changes.

3.1 Declarations

Eligibility Appeal Panel members will be expected to carry out their duties in an objective manner and must declare any personal interests or potential conflicts when carrying out their duties.

4.0 ELIGIBILITY APPEAL PANEL APPOINTMENT CRITERIA

The Eligibility Appeal Panel will consist of three (3) members: the Manager of Mobility Plus, a Medical Health Practitioner (appointed), and a Person from the Disabled Community (appointed).

The two (2) appointees must be current residents of York Region, Canadian citizens, and at least 18 years of age.

**YORK REGION TRANSIT MOBILITY PLUS ELIGIBILITY APPEAL PANEL
TERMS OF REFERENCE**

They must also have the ability to meet at least once a month, including during business hours.

Appointees must have a demonstrated history of community service in York Region.

5.0 QUALIFICATIONS

Each appointee will have:

- (a) An understanding of the different types of disabilities and the functional characteristics of each.
- (b) An understanding of the eligibility criteria for York Region Transit Mobility Plus.
- (c) An awareness and understanding of the principles supporting the development and delivery of accessible conventional public transit and specialized public transit.
- (d) An understanding of the Appeal process.

6.0 TERM OF APPOINTMENT

The term of appointment will be one year, and may be renewed annually for a total term of four (4) years, in which case it shall coincide with the term of Regional Council. Vacancies will be solicited from the community at large, through an application process, with expertise and experience specific to the needs of the Eligibility Appeal Panel. Appointments shall be confirmed by Regional Council.

Vacancies before the term is complete will first be filled from the review of prior applications and, if not successful, from an appeal to the community at large for further applicants. The Regional Chair shall have the authority to appoint individuals to vacant positions.

Membership will be reviewed annually by Regional Council, and will be evaluated based on the members' ability to carry out panel responsibilities and based on their attendance.

7.0 QUORUM

A quorum for a meeting shall be all three (3) of the appointed members.

8.0 CHAIR

The Chair will be on a rotating basis with each member of the Panel taking a turn.

9.0 VOTING

The decision(s) of the Eligibility Appeal Panel will be final and shall be based on a majority vote. Decisions will be rendered within 40 days of receiving the appeal request. The decision is without further appeal for one (1) year unless the Eligibility Appeal Panel receives additional information affecting the person's ability to access conventional

**YORK REGION TRANSIT MOBILITY PLUS ELIGIBILITY APPEAL PANEL
TERMS OF REFERENCE**

transit (e.g. accident, surgery, dialysis, etc.) or there is a change in medical status that may affect the person's eligibility.

A record shall be maintained of all Eligibility Appeal Panel meetings and decisions taken.

10.0 MEETINGS

Meetings are to be held at least once a month at the South Services Centre located at 50 High Tech Road, Richmond Hill.

10.1 Resources

Staff support for the Eligibility Appeal Panel will be provided by the Transit branch and by the Regional Clerk's Office, which will maintain a record of all meetings. Other Regional departments and branches will be consulted on an as-needed basis.

11.0 ATTENDANCE AT MEETINGS

Appointees of the Eligibility Appeal Panel may be required to tender their resignation from this panel if they cannot attend three (3) consecutive meetings without prior confirmation or for confirmed health reasons.

12.0 AGENDAS

Agendas will be based on the Appeals requested. All Appeals will be numbered and will not be identified by name.

13.0 REIMBURSEMENT OF EXPENSES

- (a) Members of the Eligibility Appeal Panel serve without remuneration, but will be compensated by the Region for any approved travel expenses related to carrying out their duties as an appointee.
- (b) Members who are persons with disabilities will be provided with the resources related to their disability and that are deemed necessary for them to fully participate in the Panel (e.g. sign language interpretation services, Braille translation services, transportation, support care services, etc.).

14.0 EVALUATION AND REVIEW

The Terms of Reference for the Eligibility Appeal Panel shall be approved by Regional Council and will be reviewed after the first year with input from the Region's Accessibility Advisory Committee. They may be modified after the release of the regulations of the Accessibility for Ontarians with Disabilities Act, 2005, and/or the repeal of the Ontarians with Disabilities Act, 2001. Such modifications shall be approved by Regional Council.

Created May, 2007