

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 or eligible with restrictions. 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 public transit” means:

Accessible fixed route public transit and includes the family of services offered by York Region Transit, including Viva set out in Attachment 1.

2.3 “level of eligibility” means:

The level of Mobility Plus service (set out in Attachment 2) for which the applicant is eligible based on the information provided in the application.

2.4 “medical practitioner” means:

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

2.5 “person from the disabled community” means:

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

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

2.6 “physical or functional limitation” means:

any condition, either short term or long term (e.g. paraplegia), that prevents the individual from using conventional public transit services and may include physical, visual, sensory, and cognitive disabilities, as well as individuals undergoing dialysis treatments.

2.7 “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.

2.8 “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.

3.1 Eligibility Criteria

Decisions of the Eligibility Appeal Panel must be based on the following eligibility criteria as approved by Regional Council:

An individual is eligible for Mobility Plus if he/she is unable to use conventional public transit due to a physical or functional limitation. Eligibility is considered on a case by case basis and is not based on a particular disability, nor is it based on income level or lack of accessible conventional public transit in the applicant's area.

Applicants who are otherwise ineligible for Mobility Plus because they are able to use the conventional public transit, may be eligible for trips to/from approved day programs/work placements. Written confirmation from a placement agency is required.

The level of eligibility is to be determined based on the information in the application.

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

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.

3.2 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.

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.

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

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 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

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

- (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.

Revised May 2008

CONVENTIONAL SERVICES

Accessible Fixed Routes:

Viva is an accessible rapid transit system connecting Markham, Richmond Hill, Vaughan, Aurora and Newmarket; and also links York Region with Toronto and its subway system, GO Transit and the Region of Peel.

On the conventional transit system, the majority of transit routes throughout the Region are deemed accessible and are serviced with low floor buses. Low-floor buses are equipped with a ramp, have no entry steps and have a kneeling feature that lowers the entry level for customers who use walkers, crutches or who have difficulty climbing stairs.

Transit Training:

Travel training empowers people to use conventional transit services by providing knowledge, skills and confidence. It provides participants with the necessary knowledge for making use of the accessible fixed-route services. Included in the information session is planning an accessible fixed route trip, reading related schedules, recognizing bus numbers and stops, boarding and de-boarding accessible conventional buses, and safety. It also provides a higher level of assistance offered to people, often with cognitive disabilities, who need more rigorous support to learn to use regular fixed-route transit to complete their daily travel.

Community Bus:

Community bus service is specially designed to serve the needs of seniors and persons with mobility challenges. Service is provided, where possible, to the doors of specified senior's residences, medical facilities and shopping centres. Vehicles are low-floor with no steps and full accessibility.

Dial - a - Bus:

These services are designed to provide immediate local travel within a specific travel zone/neighbourhood in a community. Customers call a central number and request a pick-up from their nearest conventional bus stop. Dispatchers then send out an accessible vehicle, within a specified time frame, to pick up the customer and take them to a key common destination or bus stop where regular, conventional, fixed-route transit services are offered.

SPECIALIZED SERVICES

Shuttles

Day Program and Work Placement shuttles provide dedicated trips for passengers that require a higher level of service but do not fulfill the eligibility criteria.

Para transit:

A shared ride, door to door service for passengers that require a lift-equipped or low floor vehicle for travel and are unable to use regular public transit due to a physical or functional disability.

#451885

LEVEL OF ELIGIBILITY

Your level of eligibility will be determined by Mobility Plus based on the information in your application. You may be required to renew your application every five years to ensure updated eligibility information.

The levels of eligibility are:

MP-1	No restrictions.	MP-2TAD	Temporary disability requiring an attendant for all trips other than approved day program/work placements. Temporary registration period determined by the health professional who completed the application.
MP-1A	Requires an attendant for all trips.		
MP-1AD	Requires an attendant for all trips other than approved day program/work placements.		
MP-1D	Approved only for day program/work placements.	MP-3S	Seasonal approval (November 1-April 30) when weather conditions affect the applicant's ability to use regular public transit (i.e. icy conditions). No other restrictions.
MP-2T	No restrictions, but with temporary registration period determined by the health professional who completed the application.		
MP-2TA	Temporary disability requiring an attendant for all trips. Temporary registration period determined by the health professional who completed the application.	MP-3SA	Seasonal approval [November 1-April 30] with attendant requirement for all trips.