
REPORT

TO: MEMBERS - ADA Transit Subcommittee to the Transit & Parking Commission
FROM: Crystal Martin, Paratransit Program Manager
SUBJECT: Increasing Leave Attended Issues and Sample Policies from Other Systems
DATE: 8/10/15

Metro is seeking policy direction from the Subcommittee regarding increasing operational difficulty in paratransit services with individuals who are to be met at their destination, but no one is present to receive them.

Background

Metro has a contractual requirement with Dane County in its MA Waiver agreement that states: "Transportation related supervision shall be provided on a limited and coordinated basis."

To ensure that this provision is carried out by Metro paratransit contractors, Metro contracts define and require:

"Leave Attended. City shall designate certain Customers as Leave Attended. Leave Attended means that the Customer must be in view of the driver en route; and, that upon arrival at the destination, the Customer is left with a willing and responsible party identified by the driver as a professional or personal associate or family member of the Customer."

Metro has not limited the provision of Leave Attended service to MA Waiver funded riders. Any rider can request the service. Other than this contract provision, Metro has no policy offering or restricting Leave Attended status. Offering Leave Attended status is not required by the ADA.

Current Experience

Increasingly, caregivers and support staff are not present at the initial attempt to drop customers at home or in the community. So much so, that Dane County has initiated a task force to try to address the issue. The overall issue identified by the task force is difficulty with staffing because of limited budgets. While city staff is hopeful of a voluntary remedy, we are highly cognizant that a combination of incentives or penalties may be required for a resolution of the issue.

Since 2010, reported Leave Attended issues are up 91%. See chart below. It should be noted that these are only the instances that were documented by drivers. Also, these reports are in addition to Feedback reporting for Leave Attended category in Metro's performance statistics.

Reports of Leave Attended Issues					
2010	2011	2012	2013	2014	2015 - May
12	20	22	56	137	68

A recent report on the anniversary of the ADA regarding accessible transportation also addressed this issue:

**Transportation Update: Where We've Gone and What We've Learned – Published 5/4/15
by the National Council on Disability, page 341 - Recommendations**

118. Transit agencies should document and discuss with caregivers or guardians any problems that arise, such a rider who cannot be left unattended but is not met at the destination. If the problem continues and if a solution cannot be found, the transit system might need to refuse service or, preferably, condition service on the rider's being accompanied, which is a better practice.

What do other transit systems do around the country?

Many other systems have enjoyed the same flexibility that Madison has in the past. They find that it's a rare occurrence that can be accommodated. Still, quite a few indicated that they either have had policies that deter incidents or instituted policies after identifying issues. Here are some examples, including a recent recommendation for the National Council on Disability.

Oakland, California – East Bay Paratransit

An attendant or caregiver must be present at the pick-up point and at the drop-off point for riders who cannot be left alone. If a responsible attendant or caregiver is not present when the driver attempts to pick-up or drop-off these riders, it can seriously disrupt the driver's schedule. If East Bay Paratransit encounters absences of an attendant or caregiver, service to the rider may be suspended and the situation reported to adult protective services.

<http://www.eastbayparatransit.org/general-rules-and-policies.htm>

Salt Lake, Utah - Utah Transit Authority

If no one can be reached within a reasonable amount of time, (dispatch) will have the operator continue in route, charging a no show for delay of service. The driver will be informed to continue in route until either notified by FRCC or reaching the last drop off for that route at which time (dispatch) will make another attempt to contact a responsible party for information and a drop off plan. If the passenger is returned to the garage, Customer Care or Supervisor should be made aware of the situation so they can notify passengers care giver of their requirement to pick up the passenger from the garage.

Austin, Texas - Capital Metro

• **Passenger Attendant/Aide Requirements**

Passengers will be required to travel with an attendant or aide under the following conditions:

....

- Passengers who cannot be left unattended or who qualify for hand-to- hand service and are traveling to a drop-off location where no one will be present to receive them

...

Passengers who will need to travel with a personal care attendant or aide will need to have this information documented with MetroAccess during the eligibility determination process.

Professional verification for the need of a personal care attendant should be included.

Spokane, Washington - Spokane Transit

Directly from staff correspondence (edited for space):

In the past, this was a daily problem for Spokane Transit Paratransit, so beginning in 2007, we took steps to put the responsibility back on the people or agencies that were supposed to be at the destination providing care for their clients.

The first step was public outreach to agencies and clinics.

For some providers, we had to engage in creative problem solving to banish old habits. One community center set up an intercom system to the main office to assist in the change. If no one is at the door to meet the customer being dropped off, the operator calls the front desk. They have five minutes to get to the door to meet the customer. If the customer is not at the door to be picked up, the operator calls the front desk to ask for the customer. Again, the customer has five minutes to get to the door.

Some of our customers had notes in their file along the lines of “cannot be left alone.” With notice to the customer and care giver, all these notes were removed from the file. Every customer was told that the operator would wait at the pickup door and/or the drop off door for five minutes. After that, the customer would be considered a “no show” or they would be in violation of the STA Rules of Conduct that prohibit impeding the flow of STA Transit Vehicles and/or causing unreasonable delays in boarding or alighting...

Care givers were given time to adjust to this change, but eventually, when needed we invoked the STA Rules of Conduct <https://www.spokanetransit.com/about-sta/view/rules-of-conduct> The specific rule reads: Obstructing or impeding the flow of STA Transit Vehicles or passenger movement, hindering or preventing access to STA Transit Vehicles or property, including causing unreasonable delays in boarding or alighting, blocking or partially blocking an aisle or stairway with a package or object, reclining in more than one seat, or in any way interfering with or seriously disrupting the provision or use of transit services.

The first time = a reminder. The second time = a warning letter. The third time = suspended from service. The first suspension level is usually 10 days. We manage this practice very strictly, but the strictness reflects the necessity for caregivers to be responsible and not rely on STA to stand in for them. This suspension is appealable. However, no one ever appealed.

We had to define things like where the door is at a cemetery (the front office). We had to catch “cannot be left alone” kinds of comments during the application process. We introduced new customers to the idea of a PCA to travel with the customer. We had to stand firm - even though the caregivers who were at fault.

Now it is highly unusual for anyone to impede the flow. More importantly, I think our customers are safer.

Cleveland, Ohio - Greater Cleveland Regional Transit Authority

In these instances we transport the passenger to the nearest Police Station. We do try and contact the emergency contact and if there are continuous repeats, we require the passenger to ride with a PCA.

Dayton, Ohio - Greater Dayton RTA

What emergency procedures are in place in case something happens while I am on the bus?

- For health and/or safety- if a rider can't be left alone and the person meeting them is not at the location when the operator arrives, the rider will be transported to a safe location. The riders guardian or caregiver will be notified and required to pick up the rider or make other transportation arrangements. If we are unable to make contact with the guardian or caregiver, the proper authorities will be notified.