

## **ADA PARATRANSIT ELIGIBILITY APPEAL PROCESS**

1. The appeal process was established with full public participation to create an objective and unbiased process.
2. If you disagree with your determination of conditional eligibility or denial of eligibility you may file an appeal within 65 calendar days from the date on your letter of determination. A notice of appeal must be filed with the Regional Transportation Commission of Southern Nevada (RTC) ADA Certification Supervisor, 600 S. Grand Central Parkway, Suite 350, Las Vegas, NV 89106. In a notice of appeal, the applicant shall identify in writing their name, address and telephone number. The applicant may also choose to include information to support the appeal. The choice to provide supporting information will not limit the applicant's ability to be heard and to present information or arguments in person during the hearing. For applicants recertifying their eligibility, access to ADA Paratransit Services will continue through the receipt of the Appeal Hearing Officer's decision. Reasonable accommodation will be made for applicants who are unable to submit requests in writing due to their disability.
3. Once a request for an appeal has been made, the applicant (Appellant) will be notified by mail within 60 days with their hearing date and time. If necessary, arrangements will be made with ADA Paratransit Services to transport the appellant to and from the appeal hearing meeting. The appellant may bring a second party or advocate to assist with the presentation. In preparation for your appeal, you may contact the certification office and request a copy of the functional assessment used as a basis of determination.
4. The RTC will schedule and conduct hearings as soon as is administratively possible; however, the regulations do not set a maximum time for the holding of a hearing following the receipt of an appeal request. If no decision is made within 30 days after completion of the appeal process, there will be a presumption of eligibility.
5. The appeal will be heard by a contracted Hearing Officer for the Regional Transportation Commission of Southern Nevada (RTC) ADA Paratransit Eligibility Appeals.
6. The Hearing Officer will conduct the appeal hearing meeting in an orderly and professional manner.
7. The Hearing Officer shall prepare a written determination that shall be delivered to the RTC. The RTC's written determination shall state the Appeal Hearing Officer's reasons for confirming, remanding or overturning the RTC's initial determination of eligibility.
8. The Hearing Officer shall complete the appeal files. The appeal files shall be forwarded to the RTC for safekeeping and storage.
9. All written materials will be provided in a format accessible by the applicant upon request.
10. The appeal process is the final decision within the RTC.