



*The Commonwealth of Massachusetts
Executive Office of Health and Human Services
Human Service Transportation Office
100 Hancock Street, 6th Floor
Quincy, MA 02171*

DEVAL L. PATRICK
Governor

TIMOTHY P. MURRAY
Lieutenant Governor

JUDYANN BIGBY, M.D.
Secretary

TO: HST Brokers
FROM: Sandra Mulcahy, Brokerage Operations Manager, HST Office
DATE: May 10, 2011
RE: Administrative Procedure Memo – Accommodating Members with Disabilities; Service Animals

Section 3.1 of the contract you have with EOHHS for HST broker services (the “HST broker contract”) requires that “all services and programs provided under the Contract must be accessible and available to Consumers with disabilities.” The HST broker contract, in Section 4.9, also requires HST Brokers to ensure that training is available and provided to your subcontracted Transportation Providers concerning “human rights, diversity and sensitivity, including disability awareness” and “rules and procedures regarding federal and state laws and regulations relative to acceptance of service animals in vehicles...” In addition, Section 4.9. states:

The Broker shall comply with all applicable references in Massachusetts General Laws regarding guide dogs and/or other service animals. And, where indicated on transportation authorizations, the broker shall ensure that all consumers requiring service animals and/or guide dogs are accommodated.

The HST Brokers are also required to monitor and ensure that their subcontracted Transportation Providers adhere to all Transportation Provider Performance Standards specified in the HST broker contract and its appendices. The Transportation Provider Performance Standards state that the Transportation Provider shall:

UNIVERSAL➤ Allow only persons authorized by the Broker to be transported in vehicles with Agency Consumers. The following may not be transported: children of employees or other children in their care and pets **other than Consumers’ service animals (i.e. guide dogs).** - **Drivers must be aware of and comply with the Americans with Disabilities Act (ADA) and relative state laws pertaining to the requirement to transport service animals.**

Under the Transportation Provider Performance Standards, drivers and monitors must be trained on “human rights and sensitivity to Consumer needs, including disability awareness, passenger assistance and accommodations for services animals (guide dogs) in vehicles.”

To further clarify, if any of your subcontracted Transportation Providers refuses to appropriately transport service animals, those providers should be excluded from providing any services under the HST Brokerage.

The need for a service animal should be identified on the consumer’s trip authorization document (PT-1 & TR). However, in those limited circumstances where this does not occur and the consumer shows up for their ride with a service animal, the subcontractor should still accommodate the trip and notify the broker immediately so that the appropriate authorization can be secured. The subcontractor/drivers may ask the consumer if the animal is a service animal and that is all they may ask. They cannot request the consumer to furnish any proof that the animal is a service animal.