

January 30, 2014

Attention: Mayor Frank Scarpitti and Members of Council.

RE: Advisory Committee on Accessibility’s Resolution on the Mobility Plus Eligibility Appeal Panel - Correspondence from Arlene Juanillo, Member, Advisory Committee on Accessibility.

Fellow members,

I am writing in regards to the presentation of Ms. Kim McKinnon last Wednesday, Jan. 15 to the Advisory Committee about Mobility Plus Eligibility Appeal Panel. I apologize for the delay, but I need to give it time for me to understand what it is about or what it aims to accomplish and what the impact will be on accessibility.

Upon reading the hand-out given to us, it only opened up more concerns for me about the resolution that we passed. I would like to express my concern that with our resolution, we have unwittingly agreed to delay the remedy needed to reduce/eliminate the appeals application backlog. I am all for learning more information about the terms for Medysis Health Group but our motion goes further than that. I am also concerned that the resolution will be used in the deputation initiated by the CCAM group represented by Ms. McKinnon or be used to cause further delay on the Region’s recommendation. Below, I have weighed my concerns with the facts as made available to us.

	Background/Facts	My Comments
	Facts from the Council of York Region’s Recommendations	
1	The 3-member Mobility Plus Eligibility Appeal Panel was appointed by the Council of the Regional Municipality of York in 2007.	It has been 6 years, and the backlog has grown significantly under the Panel.
2	Due to significant increase in appeals, time requirements for Panel to render a decision are not being met. 2012 Number of applications received – 2,283	Some of the reasons in increase in appeals are due to the Panel’s decisions. According to the Background in the Region’s Report No. 5: · 20% increase in denial rate is due to applicants responses to “yes” of whether they can board conventional buses. If the applicant can board because all the buses are accessible in York Region now, a “yes” answer doesn’t

	<p>Assessed – 138</p> <p>Denied – 186</p> <p>2013</p> <p>Number of applications received – 1,649</p> <p>Assessed – 95</p> <p>Denied – 453</p>	<p>mean they are ineligible to Mobility Plus.</p> <p>· More applicants being denied have been considered by a public health nurse who has conducted in person assessment of the applicant.</p>
3	<p>Effective Jan. 1, 2014, under Regulation 191/11 of the Accessibility for Ontarians with Disabilities Act, specialized transportation service providers must provide an eligibility appeal process. The Regulation requires that the appeal decision be rendered within 40 days after receiving the appeal application.</p>	<p>The Region is bound to comply with a “Provincial” legislation by Jan 1, 2014.</p> <p>Based alone on the 2012, 2013 performance of the existing Panel, they will have extreme difficulty in complying with this AODA legislation.</p>
4	<p>In August 2012, the Region’s Audit Services completed an audit, and recommended that the appeal panel be outsourced to third party due to volume of appeals.</p>	<p>The Region has not initiated the outsourcing. It is a recommendation resulting from an audit.</p> <p>Thus, the recommendation of the Region’s Audit Services has earned its merits. The concern of the CCAM that the Advisory Committees across the Region first vet the audit’s recommendation will only delay the appeal process. We do not have the tools nor the capacity to conduct a vetting process that will render the audit findings invalid, particularly under constraints of time.</p>
5	<p>The Council will retain Medisys Health Group to conduct eligibility appeals and rescind the current Appeal Panel.</p>	<p>The Council is acting sensibly to address the issues on backlog and compliance to AODA.</p> <p>Personally, I’d like to give Medysis a chance to</p>

	<p>The term for Medisys is on a one-year pilot basis.</p> <p>The Appeal Panel has been advised that the Region was in the process of reviewing the existing Panel model.</p>	<p>show how it will do things differently. When an existing model is not working, it is worth trying a new one, and it's overdue based on the backlog.</p> <p>The contract with Medisys is not long-term. Creating a pilot model and giving it time for a one-year evaluation is healthy and will better serve accessibility. A one-year pilot will allow for new approach, improvements on standards employed as well as meeting of timelines.</p>
6	<p>The Council recommended that all panel members be residents of York Region and the panel include a person with a disability.</p>	<p>CCAM is recommending to maintain the status quo and not outsource to Medisys. At this point, it is evident that the status quo is not an option.</p> <p>Further, CCAM seeks to expand its current pool of available Appeal Panel, and Advisory Committee members from different municipalities could be sought to act in the role of Appeal Panel members.</p> <p>My questions:</p> <p>Is this within our mandate?</p> <p>Do we have the capacity to do this?</p> <p>Is this deputation only going to put more road block to remedy the backlog that CCAM possibly may have contributed to?</p>
7	<p>The Appeal Panel members do not have remuneration but receives mileage.</p> <p>Medysis provided a cost estimate of \$2,100 per day plus mileage.</p> <p>Regional Staff estimated 1 to 2 days per month is needed initially</p>	<p>\$4,200 /mo is a small price to pay for reducing and/or eliminating the long wait for applicant's appeal.</p> <p>CCAM indicated in no.4 on its concerns, that Medisys would charge \$2,100 per day and the cost of \$4200/day plus mileage may not be the best use of taxpayers' dollars. At a glance and because of the short time for the presentation, it would seem</p>

to deal with backlog appeals or about \$4,200/mo plus mileage.

like the cost will translate to hundreds of thousands dollars in a year. However, CCAM's recommendation did not say that it is estimated by the Regional Staff that Medisys will need to work 1 to 2-days or \$4,200 per month.

The CCAM's concern that an" RFP was not put out for the selection of Medisys, therefore transparency could appear flawed", is a flawed argument given that there are procurement matrix that factors in other considerations that could skip the RFP, such as threshold on cost for below \$5K and other extenuating circumstances such as this case where there is a time constraint to be AODA compliance by January 1, 2014 (see item 3 above).

As such, I would like to request that my vote be removed from the resolution in January 15. I would also encourage the other members to review what has been presented to us, and consider the implication of the resolution. If in doubt, maybe we should postpone moving forward with the resolution and also notify CCAM through Ms. McKinnon, not to include the MACA in its deputation, until we learn more about this issue.

I also requested Warren to invite the Transportation Dept. Lead next meeting, who is responsible for the issuance of licenses for accessible taxis in Markham. As well, invite the Policy Lead on this issue (Transportation?, Accessibility?). I'd like to request for the committee to discuss the problem facing people with disabilities who are falling through the cracks when they are not eligible for Mobility Plus service. There are lots of people that we now know are submitting appeals application and being denied and possibly, not getting transportation services, if they are relying on Mobility Plus. Also, even if eligible, there has to be another option for them other than Mobility Plus. As I mentioned in our meeting, I have seen a lot of taxi drivers willing to have their taxis retrofitted so they can augment the transportation needs of those who have mobility devices. However, the City of Markham is not issuing licenses (or not enough). We need to know why and what can be done better.

Arlene

January 31, 2014

Attention: Mayor Frank Scarpitti and Members of Council.

RE: Advisory Committee on Accessibility's Resolution on the Mobility Plus Eligibility Appeal Panel - Correspondence from Sidney Polak, Chair, Advisory Committee on Accessibility.

The problem I had with the outsourcing recommendation was that it has not been vetted by the York Region Accessibility Committee which could act as a house of second thought. The YRAC represents the disabled community and can identify their concerns and suggest possible improvements. Customer service was after all the first standard to be implemented in the AODA. My understanding is that the motion was to be passed without this review and once implemented could be difficult to reverse. From what we heard I do not think that delaying outsourcing presents a problem but admit this impression is based on limited information.

Arlene, I did not study and reflect in detail on our motion and I now think that asking all York Region Accessibility Committees to be consulted on changes is not realistic. I need to ask the councilors if our motion leaves the impression that all committees must be approached if left as it is. Brian Lynch sits on the YRAC and is in fact MRAC's representative and this may meet the recommendation to have a MRAC member review the proposal.

I am here asking Warren to fine tune the motion to reflect the concerns identified but see no issue with moving ahead as the whole committee recommended.

I would also like to add we did in the past have representation from the Markham taxi industry who identified that retrofitting taxis was not financially attractive considering the customer base. We should provide an update on this to new members and also identify changes to positions taken.

February 3, 2014

Attention: Mayor Frank Scarpitti and Members of Council.

RE: Advisory Committee on Accessibility's Resolution on the Mobility Plus Eligibility Appeal Panel - Correspondence from Joan Jenkyn, Member, Advisory Committee on Accessibility.

The email from Arlene Juanillo was against due process as the Advisory Committee on Accessibility voted unanimously in support of the resolution.

I had no knowledge of what was going on until last night.

I strongly support the resolution as a user of Mobility Plus.

Committee Members should be advised of due process.

I am thinking of leaving the Committee due to this audacious mistake.