# PART C, CHAPTER 16.4: TRANSPORTATION SERVICES

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| **Policy Number** | **Authority** | **Scope** | **Effective Date** |
| Part C, Chapter 16.4 | 34 CFR §[361.5(c)(56)](https://www.ecfr.gov/current/title-34/part-361#p-361.5(c)(56)), [§361.48(b)(8)](https://www.ecfr.gov/current/title-34/part-361/section-361.48#p-361.48(b)(8)), and TWC Rule §856.47 | All TWC-VR staff | 9/3/2024 |

## PURPOSE

In accordance with the authority (Federal and State) listed above, this policy is issued by the Texas Workforce Commission Vocational Rehabilitation Division (TWC-VR). Adherence to these rules and regulations issued under the Rehabilitation Act of 1973, as amended by Title IV of the Workforce Innovation and Opportunity Act (WIOA), supports Texans with disabilities in gaining, maintaining, and advancing in competitive integrated employment (CIE).

Specifically, the purpose of this policy and these procedures is to ensure adherence to the provision of transportation services that are necessary for customers to participate in TWC-VR services.

## DEFINITIONS

Normal Living Expenses: Items such as housing, food, clothing, and transportation, and whatever additional expenses would be considered necessary to those broad categories (not directly associated with the receipt of VR services), such as utility costs and vehicle insurance.

Private Carrier: An individual or private organization that owns a vehicle and is not customarily for hire.

Public Carrier: A vehicle or set of vehicles in the business of transporting the public (e.g., city transit service, airline, bus, taxi).

Transportation: Travel and related expenses necessary to enable an applicant or eligible individual to participate in a TWC-VR service, including expenses for training in the use of public transportation vehicles and systems.

## POLICY

### General Overview

When customers are participating in TWC-VR services and/or employment that requires transportation assistance, TWC-VR can provide these services in accordance with the Individualized Plan for Employment (IPE) or prior to an IPE when transportation is needed to access TWC-VR or participate in the assessment process for determining eligibility or the scope of VR needs (e.g., getting to and from medical evaluations).

Transportation is financial support that can be paid directly to the customer, to the customer to pay for a ride share (e.g., Uber, Lyft), or a third party who will provide the transportation. Transportation services may not be used to pay for any "normal living expenses." Regardless of the reason for transportation services, they must be provided by the most economical and effective carrier that meets the customer’s disability-related needs.

TWC-VR pays for the use of the customer's vehicle for transportation when this is the most economical and effective method.

Transportation services can be provided under one or more of the following categories:

* Recurring transportation paid to a public or private carrier;
* Nonrecurring transportation paid to a public or private carrier; and
* Airfare.

### Transportation Provided by TWC-VR Staff

Criss Cole Rehabilitation Center (CCRC) staff members who are formally approved to transport customers must drive TWC-VR-owned vehicles. All other TWC-VR staff members are not allowed to transport customers.

### Additional Policy Considerations

* Comparable Services and Benefits: TWC-VR must not expend funds on transportation services unless the VR Counselor and the customer have made maximum efforts to secure comparable services and benefits from other sources to pay for services.
* Customer Participation in the Cost of Services: A customer's eligibility for TWC-VR services does not depend on the customer's income or liquid assets; however, if the customer's net income or liquid assets exceed the Basic Living Requirements (BLR), the customer must participate in the cost of services unless an exception is granted.
* Recipients of Social Security Disability Benefits: Recipients of Supplemental Security Income (SSI) or Social Security Disability Insurance (SSDI), due to the customer’s disability, are exempt from the requirement to participate in the cost of TWC-VR services regardless of income.
* Exceptions to Policy: When necessary to meet the VR needs of a customer, TWC-VR staff members may request exceptions to policies and procedures through their chain of management up to the Deputy Division Director of Field Services Delivery, or designee. However, exceptions to policies and procedures based on Federal and State laws, statutes, and rules or regulations are not allowable.

## PROCEDURES

### Determination of Need

The VR Counselor must clearly document the need for transportation services in the case record. These services must be necessary and reasonable under the circumstances of the customer at the time a decision is made.

Decision-making factors include, but are not limited to, the following—

* Individual rehabilitation needs consistent with the customer's informed choice;
* Best value purchasing;
* Use of comparable benefits; and
* All other established policies and procedures, including policies and procedures for customer participation in cost of services, also known as basic living requirements (BLR).

### Recurring Transportation

Recurring transportation includes advance payments paid weekly to a public or private carrier for the transportation of a customer necessary to participate in TWC-VR services (e.g., training).

### Nonrecurring Transportation

Nonrecurring transportation is a one-time advance payment to a public or private carrier for transportation of a customer necessary to participate in a TWC-VR service (e.g., psychological evaluation).

### Airfare

Airfare may be procured to fulfill a customer's transportation requirements under the following circumstances:

* If air travel proves to be the most economical option compared to driving;
* If air travel aligns with the customer's transportation needs, considering potential disability-related factors; or
* If no feasible alternative mode of transportation exists.

When evaluating the cost-effectiveness of airfare, the VR Counselor takes into account all associated expenses, including transportation to and from the airport, parking fees, vehicle rental, fuel costs, or taxi fares.

* Customer Central Billed Account (CBA): CBA is the required method for paying for airfare. Using the CBA for customer airfare purchases allows TWC-VR staff to purchase customer airfare at state-contracted rates.

In addition to reducing airfare costs for customer travel, using the CBA has the following benefits:

* + Advance purchase is not necessary;
  + No minimum or maximum length of stay; and
  + 100% refundable tickets if canceled or unused.

When using the CBA, reservations must be made at least 14 days in advance and ticketed at least seven days in advance to allow for review and to ensure that the itinerary is acceptable to the customer. For travel being requested during holiday periods (October through January), reservations must be made at least 30 days in advance.

* Requesting Customer Air Travel: The TWC-VR staff must do the following:
  + Complete and sign *Central Billing Request for Consumer Airfare form (VR1762)* and include the service authorization (SA) number in the Comments field; and
  + Email the signed *VR1762* to the Accounting–Consumer Airfare Team at [Payables.ConsumerAirfare@twc.texas.gov](mailto:Payables.ConsumerAirfare@twc.texas.gov).

On *VR1762*, TWC-VR staff notes any special needs or requirements that the customer may have. For example, TWC-VR staff documents whether the customer—

* + Needs to be on a specific flight to travel with a group;
  + Requires accommodations (e.g., wheelchairs, guide dogs); or
  + Requires special seating (describe the circumstances).
* Reserve and Verify Customer Airfare: The following procedures must be used to book and verify the travel:
  + Accounting–Consumer Airfare Team authorizes the charge to the Customer CBA and books the airfare.
  + Accounting–Consumer Airfare Team maintains a printed copy of the itinerary in the Customer CBA and forwards the confirmation by email to the TWC-VR staff member who requested the travel.
  + The TWC-VR staff member must respond by email to the Consumer Airfare Team at [Payables.ConsumerAirfare@twc.texas.gov](mailto:Payables.ConsumerAirfare@twc.texas.gov) to confirm that the forwarded itinerary is acceptable.
  + The TWC-VR staff member, upon confirming the itinerary as acceptable, must complete a service record and SA in RHW using the date, purchase price, and fees information provided.
  + The customer must provide the itinerary or confirmation number and a valid driver's license, photo ID, or other acceptable proof of identification. (Acceptable forms of identification are found at [Transportation Security Administration Identification](https://www.tsa.gov/travel/security-screening/identification).)
  + The TWC-VR staff member receives a mass email from the Accounting–Consumer Airfare Team paying the bank statement once the customer's travel is shown. Because the email names all customers that traveled within that bank statement period, the TWC-VR staff member must copy and redact names of all other customers from the document before filing with the customer's purchasing records in the case file.
  + The TWC-VR staff member must add the SA number in the appropriate column for the customer.
  + Accounting verifies and audits the SA and lets the TWC-VR staff member know when they can receive and authorize payment for the customer's travel.
* Canceled Flights: The ticket is paid for using a VR CBA credit card. If the customer's ticket requires cancellation, the TWC-VR staff member must notify the Accounting–Customer Airfare Team immediately by email at [Payables.ConsumerAirfare@twc.texas.gov](mailto:Payables.ConsumerAirfare@twc.texas.gov) or by phone at (512) 463-1671, option 4, for immediate assistance. The following responsibilities and conditions apply:
  + The customer is not authorized at any time for any reason to make any changes or cancel their flight itinerary. Additional costs incurred will be the responsibility of the customer. The customer must go through the VR Counselor to make any changes or cancel flight itinerary.
  + The TWC-VR staff member is responsible for closing the SA in RHW.
* Airfare Limits: Air transportation for customers who are attending in-state or out-of-state training is limited to no more than four round-trip economy tickets per year. This includes customers attending training at CCRC.

If there are questions regarding customer airfare procedures, contact the Accounting–Consumer Airfare Team in one of the following ways:

* + Email TWC Consumer Airfare Team at [Payables.ConsumerAirfare@twc.texas.gov](mailto:Payables.ConsumerAirfare@twc.texas.gov); or
  + Phone (512) 463-1671, option 4.

### Other Transportation Services

* Rental Car: Vehicle rental can be purchased if it is economically justified and no reasonable alternative exists.
  + Required Vehicle Rental Procedures: TWC-VR staff must obtain two quotes for an economy class vehicle from a reputable auto rental agency or vehicle modification provider. If the customer requires a higher class of vehicle, document the justification for VR management review during the approval request.

TWC-VR staff must not request State rates for customers because only State employees may use them.

TWC-VR staff must obtain copies of documents for the customer's case file that confirm that the customer or the customer's driver is—

* + - Over 21 years old;
    - Has a valid driver's license; and
    - Has proof of insurance.
  + If the customer or their driver does not have collision insurance, TWC-VR may pay the rental agency's additional daily rate for required insurance. TWC-VR does not pay for personal accident insurance.
  + The customer is responsible for—
    - Returning the rental vehicle in the condition in which it was received; and
    - Paying any costs above and beyond the original rental agreement.
* Relocation Services:If the customer cannot participate in IPE services or employment because transportation is not available, the VR Counselor discusses with the customer the option of relocating to a community that meets the customer's transportation needs.

If the customer decides to move, the VR Counselor determines the extent of help necessary to achieve the move. Some customers require minimal help (e.g., helping to pay for moving van rental, mileage, and boxes) while others, because of disability-related limitations, may require full assistance (e.g., packers, movers, and unpackers).

If the VR Counselor plans to purchase services from a moving company, they must contact [TWC Consumer Procurement](mailto:consumer.procurement@twc.texas.gov) for help in determining if using a State term contract results in best value.

### Customer Vehicle Repair

As with other transportation services, TWC-VR provides payment for the repair of the customer's vehicle only when necessary for the customer to participate in TWC-VR services, such as vocational training and job-related services.

Payment for vehicle repair, including parts and labor, is authorized only when—

* No comparable services or benefits are available to meet this customer's transportation needs; and
* Repair is the most cost-effective means to meet those needs.

Authorization covers only repairs that are required to make the vehicle safe and operable. Purchasing thresholds may apply.

### Bus Passes

The management support team purchases local bus tickets, passes, tokens, and transfers in bulk for customers. Bus passes are distributed to customers that are directly related to and required for their participation in TWC-VR services. Once received in the TWC-VR office, the bus passes must be kept under lock and key.

When a customers need for bus passes is identified, the—

* VR Counselor must enter a case note justifying the need for transportation, unless the case is in Employment Phase in RHW. If the case is in Employment Phase, an IPE amendment is required;
* Customer (or representative, if needed) must be present and must signthe *Rehabilitation Equipment, Item, and Bus Pass Receipt form (VR2014)* once they receive the bus pass;
* TWC-VR staff will request the bus pass from the management support team or designee;
* TWC-VR staff are required to enter the date, customer's name, and case ID number onto the *Office Bus Pass Log (VR2015)*;
* The management support team or designee will also sign *VR2015*;
* Once *VR2014* has been completed, TWC-VR staff are required to place it in the customer's case file; and
* *VR2015* must be filed with the management support team records.

### Processing Transportation Payments

TWC-VR staff must email VR RHW Provider Services at [vr.rhw.providerservices@twc.texas.gov](mailto:vr.rhw.providerservices@twc.texas.gov) to have the customer established as a provider when the amount is more than $400 for a single SA.

TWC-VR staff must authorize the payment of transportation in advance to the customer. The allowable transportation payment rates are based on the rates published on the [Texas Comptroller of Public Accounts](https://fmx.cpa.texas.gov/fmx/travel/textravel/rates/current.php) website.

Transportation payments (recurring or nonrecurring) are limited to one of the following:

* Actual cost to customer for public transportation;
* Actual mileage times the Federal privately-owned vehicle mileage rate published on the [Texas Comptroller of Public Accounts](https://fmx.cpa.texas.gov/fmx/travel/textravel/rates/current.php) website; and
* Recurring transportation payments should be issued monthly or for the duration of the semester or service period.

TWC-VR staff must not use maintenance specifications in RHW to make transportation payments.

TWC-VR staff must not split SAs to avoid threshold requirements based on specific dollar amounts.

If discrepancies are noted between the service record, SA, or invoice received by the Accounting–Consumer Airfare Team, a team member emails the TWC-VR staff to resolve the differences.

* Transportation Warrants to Customers: Transportation services are authorized and paid to the customer in advance. When approved by the VR Counselor, transportation checks, or warrants, are mailed—
  + Directly to the customer, their representative, or third-party payee; or
  + To the TWC-VR office where the customer is receiving services, when approved by the VR Manager, under exceptional circumstances.

When a transportation warrant is received in the TWC-VR office, the TWC-VR staff member must—

* + Document the TWC-VR receipt of the warrant in a case note, containing—
    - The date that the warrant was received; and
    - The warrant number and amount;
  + Contact the customer and documents the contact in a caste note; and
  + Document the customer receipt of the warrant in a case note, containing—
    - The date that the warrant was received by the customer, and
    - The warrant number and amount.

Until the customer receives the warrant, it must be stored under lock and key.

### Anticipated Transportation

Transportation assistance must be included in the customer's IPE, unless the service is provided prior to IPE development. If the need for transportation is identified before the IPE has been completed, a service justification case note must be used to document this service.

### Documenting Transportation Services

| Documentation Type | Required Documentation: Customer | Required Documentation: VR Counselor/VR Manager |
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| Recurring Transportation | * Maintains *Transportation Log (VR2181)* to verify that the private carrier recurring transportation funds were used for their intended purpose * Turns in *VR2181* monthly | * Case note that includes calculations and the source used to define "actual mileage" and confirms the service for which transportation is required. * Reviews *VR2181* before next payment is authorized * If *VR2181* is not turned in or if it is determined that the funds were not used for their intended purpose, VR Manager approval is required before additional transportation payments can be authorized or any new SAs for transportation are issued * Documents VR Manager request and approval in RHW |
| Nonrecurring Transportation |  | * VR manager approval, if required * Case note that includes calculations and the source used to define "actual mileage" and confirms the service for which transportation is required |
| Recurring Bus Passes | Maintains *VR2181* to verify that bus passes are being used for their intended purpose  Turns in *VR2181* for the next bus pass to be issued or purchased | * Case note that includes quantity of bus passes needed to support TWC-VR service and confirmation of the service for which transportation is required * If the TWC-VR office purchases bus tickets in bulk and issues them directly to the customer, a case note identifying the date the customer picked up the bus pass * Files a signed copy of *VR2014* in the customer's case file * If *VR2181* is not turned in or if it is determined that the funds were not used for their intended purpose |
| Nonrecurring Bus Passes |  | * Documents quantity of bus passes needed to support the TWC-VR service * Case note confirming the service for which transportation is required * If TWC-VR purchases bus tickets in bulk and issues them directly to the customer, a case note identifying the date the customer picked up the bus pass |
| Customer Vehicle Repair |  | Case note that documents the vehicle—   * Is owned by the customer or a family member (if not, VR manager approval is required); and * The customer's primary means of transportation; * Vehicle repair is a best-value decision to meet the customer's transportation needs; and * Based on the vehicle's overall condition, ongoing repairs are not expected; and * Repair costs do not exceed the vehicle's value as estimated from Kelly Blue Book using the "sell to private party" value (After the VR Counselor reviews and makes the decision to authorize the service, they file a copy of the computer-generated estimate in the case file.) * There are no comparable services and benefits available to meet the customer's transportation needs, such as public bus service; and * The customer has a plan for how to meet transportation expenses after case closure. |

## APPROVALS & CONSULTATIONS

TWC-VR staff must follow the following approvals and consultations:

* *VR Supervisor approval is required for vehicle repairs when the total cost of the repair is greater than $2,500, or when the total cost exceeds the vehicle's value.*
* *VR Supervisor approval is required for vehicle rentals.*
* *VR Manager approval is required when exceptional circumstances result in the transportation check or warrants being mailed to the TWC-VR office instead of directly to the customer.*
* *VR Manager approval is required for all transportation (excluding airfare) that is equal to or greater than $400 for a single SA.*
* *VR Manager approval is required for recurring* transportation that exceed a total of 104 weeks. Approvals are limited to six-months increments (cumulatively or consecutively).
* *VR Manager approval is required for any additional transportation services when a VR2181 is not turned in monthly or it is determined that funds were not used for the intended purpose.*
* *VR Manager approval is required for more than four round-trip economy airfare tickets per year for customers that are attending training (includes both in-state and out-of-state training).*

**REVIEW**

The Policy Planning and Statewide Initiatives Team, or designee, is responsible for reviewing this policy and these procedures and will update the Document History log if necessary.

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| **Date** | **Type** | **Change Description** |
| 9/3/2024 | New | VRSM Policy and Procedure Rewrite |