

Commission for the Transportation Disadvantaged

RECEIVING AND INVESTIGATING REPORTS OF ADVERSE INCIDENTS RELATED TO PARATRANSIT SERVICES PROVIDED TO PERSONS WITH DISABILITIES

MODEL PROCEDURES

INTRODUCTION

Section 427.021, Florida Statutes, directs the Commission for the Transportation Disadvantaged (CTD) to establish “model procedures” for local governments and transportation service providers to receive and investigate reports related to adverse incidents that occur during the provision of paratransit services. This document provides a model to assist local governments and their contracted transportation service providers in developing and implementing procedures within their own paratransit operations.

STATUTORY LANGUAGE

Chapter 2024-171, Laws of Florida, creates Section 427.021, Florida Statutes, which provides:

- (1) For purposes of this section, the term “transportation service provider” means an organization or entity that contracts with a local government to provide paratransit services to persons with disabilities. This term does not apply to the department.¹
- (2) The Commission for the Transportation Disadvantaged shall establish model procedures for transportation service providers to receive and investigate reports related to adverse incidents during the provision of services to persons with disabilities. The procedures must include a periodic review of ongoing investigations and documentation of final outcomes thereof. At a minimum, the investigation of an adverse incident must commence within 48 hours after receipt of the report.
- (3) Reports of adverse incidents received by the local government or the transportation service provider shall be submitted on a quarterly basis to the Commission for the Transportation Disadvantaged.

Section 427.011(9), Florida Statutes, defines “paratransit” as “those elements of public transit which provide service between specific origins and destinations selected by the individual user with such service being provided at a time that is agreed upon by the user and provider of the service. Paratransit service is provided by taxis, limousines, ‘dial-a-ride,’ buses, and other demand-responsive operations that are characterized by their nonscheduled, nonfixed route nature.”

Commission for the Transportation Disadvantaged

RECEIVING AND INVESTIGATING REPORTS OF ADVERSE INCIDENTS RELATED TO PARATRANSIT SERVICES PROVIDED TO PERSONS WITH DISABILITIES

PROCEDURES GUIDANCE

Pursuant to s. 427.021, F.S., each transportation service provider (henceforth referred to as “provider”) should develop and implement procedures regarding the receipt and investigation of adverse incidents that occur during the provision of paratransit services to persons with disabilities. The procedures should:

1. Describe the reporting mechanisms the public can utilize to report adverse incidents to the provider.
2. Describe the process used by the provider to monitor those reporting mechanisms for incoming reports. The provider should ensure that reporting mechanisms are monitored regularly to allow the provider to begin an investigation of an adverse incident as soon as possible.
3. Describe how the reporting mechanism is promoted to the public, including, at a minimum, to be displayed on the provider’s website and displayed on vehicles.
4. Describe the provider’s expectations of personnel (i.e., drivers, operators, leadership, etc.) when a report of an adverse incident is received, including documenting and internally sharing the report.
5. Identify how the provider trains its personnel to receive, document, share, investigate, and follow-up on reports of adverse incidents. The provider should document the content of the training, who receives the training and when, and maintain that documentation for a set period of time. The provider should assess the need for periodic refresher training.
6. Identify how a provider stores documentation related to reports, including the assigning of a tracking number for each report of an adverse incident and the retention period of documentation.
7. Identify the provider’s personnel (such as an “Adverse Incident Manager”) responsible for investigating reports of adverse incidents, documenting the investigation, reviewing the investigation, closing the investigation, and transmitting the reports to the CTD on a quarterly basis.
8. Include a statement that an investigation must commence within 48 hours of receipt of the report and include a requirement that the provider periodically review ongoing investigations.
9. Include a policy that requires the provider to review any available video, recordings, or photographs to establish facts surrounding a reported adverse incident.
10. Require the identification of causal and contributing factors that led to an adverse incident. Causal and contributing factors should be documented in the investigation report.
11. Require that the provider identify and document mitigations taken to eliminate factors that contributed to or caused an adverse incident.
12. Require that the provider document actions taken by the provider’s personnel during and after the adverse incident.
13. Require the provider document any corrective actions and their timelines that the provider identifies in response to an adverse incident.

Commission for the Transportation Disadvantaged

RECEIVING AND INVESTIGATING REPORTS OF ADVERSE INCIDENTS RELATED TO PARATRANSIT SERVICES PROVIDED TO PERSONS WITH DISABILITIES

REQUIRED QUARTERLY REPORTING:

The provider must compile documentation and summarize information for each reported adverse incident and complete the Commission for the Transportation Disadvantaged Adverse Incident Report form (attached). Exclude names and personal information, providing only information regarding the incident and any following action as needed. An Adverse Incident Report must be submitted for each qualifying incident.

Adverse Incident Report forms must be submitted to the CTD no later than the last day of the month following the end of the quarter. The first report is due for the quarter of January 1 through March 31, 2025, which must be submitted to the CTD no later than April 30, 2025. Reports should be emailed to: FLCTDAdverseIncidentReport@dot.state.fl.us.