

**PROPOSED REGULATION OF THE
AGING AND DISABILITY SERVICES OF THE
DEPARTMENT OF HEALTH AND HUMAN SERVICES**

LCB File No. R027-14

TAP Proposed NAC 706 – February 2014

SUBSIDIZED TRANSPORTATION BY TAXICAB

NAC 706.857 Definitions. (NRS 427A.070) As used in NAC 706.857 to 706.870, inclusive, unless the context otherwise requires, the words and terms defined in NAC 706.8572 to 706.8578, inclusive, have the meanings ascribed to them in those sections.

(Added to NAC by Aging & Disability Services Div. by R017-12, eff. 9-14-2012)

NAC 706.8572 “Applicant” defined. (NRS 427A.070) “Applicant” means a person who applies to participate in the program.

(Added to NAC by Aging & Disability Services Div. by R017-12, eff. 9-14-2012)

NAC 706.8574 “Division” defined. (NRS 427A.070) “Division” means the Aging and Disability Services Division of the Department of Health and Human Services.

(Added to NAC by Aging & Disability Services Div. by R017-12, eff. 9-14-2012)

NAC 706.8576 “Participant” defined. (NRS 427A.070) “Participant” means a person whose application to participate in the program has been approved by the Division pursuant to NAC 706.861.

(Added to NAC by Aging & Disability Services Div. by R017-12, eff. 9-14-2012)

NAC 706.8578 “Program” defined. (NRS 427A.070) “Program” means the program to subsidize transportation for elderly persons and persons with permanent disabilities created pursuant to NAC 706.858.

(Added to NAC by Aging & Disability Services Div. by R017-12, eff. 9-14-2012)

NAC 706.858 Creation of program; use of money received from balance of Taxicab Authority Fund. (NRS 427A.070) A program to subsidize transportation for elderly persons and persons with permanent disabilities is hereby created. The money received by the Division pursuant to subsection 5 of NRS 706.8825 will be used by the Division to reimburse holders of a certificate for the coupons which are purchased by participants pursuant to the provisions of NAC 706.864 and used for transportation by taxicab.

[Taxicab Auth., Gen. Order No. 5 Rule 101, eff. 2-5-82]—(NAC A 6-13-86; 10-13-88; 3-7-90; A by Aging Services Div., 1-10-97; A by Aging & Disability Services Div. by R017-12, 9-14-2012)

NAC 706.861 Application to participate in program; eligibility. (NRS 427A.070)

1. A resident of this State who desires to participate in the program must submit an application to the Division on a form prescribed by the Division. To the extent that money is available for that purpose, the Division will approve the application of a person who it determines is eligible to participate in the program pursuant to subsection 2.

2. To be eligible to participate in the program, an applicant must demonstrate:
 - (a) That he or she is at least 60 years of age or permanently disabled by a physical or mental condition that materially limits or contributes to limiting his or her activities or functioning by submitting the proof described in subsection 3;
 - (b) That he or she is a resident of this State by providing proof of his or her domicile, which may include proof of residency for voting, a bill from a utility, an affidavit of residency or any other form of proof approved by the Division; and
 - (c) That his or her annual gross income meets the requirements set forth in subsection 4.
3. To establish that he or she meets either requirement set forth in paragraph (a) of subsection 2, an applicant must submit proof of:
 - (a) Age, which may include any recognized form of identification containing a picture of the holder, a certificate of birth, baptism or marriage or any other form of proof approved by the Division; or
 - (b) Disability, which may include:
 - (1) A certificate from a physician;
 - (2) A certificate from the Bureau of Services to Persons Who Are Blind or Visually Impaired or the Bureau of Vocational Rehabilitation of the Rehabilitation Division of the Department of Employment, Training and Rehabilitation, the Nevada Association for the Handicapped or Opportunity Village; or
 - (3) Any other form of proof approved by the Division.
4. An applicant must demonstrate that his or her annual gross income is not more than 400 percent of the federally designated level signifying poverty for the size of family applicable to the person, as determined by the United States Department of Health and Human Services and published annually in the Federal Register. *Program administration will be based upon the Federal Poverty Level Guidelines designated by the United States Department of Health and Human Services.*
- ~~5.—For the purpose of determining the annual gross income of an applicant, the Division:
 - (a) Will calculate the monthly household income for the month in which an application is filed with the Division and multiply that number by 12; or
 - (b) May, if the household income fluctuates from month to month:
 - (1) Add the monthly household income over a period of at least 2 months;
 - (2) Divide the sum calculated pursuant to subparagraph (1) by the number of months within the period described in subparagraph (1); and
 - (3) Multiply the quotient calculated pursuant to subparagraph (2) by 12.~~
6. To determine the annual gross income of an applicant, any income received from a source identified in NAC 427A.408 must be subtracted from the total amount of income received by the applicant.
7. All income, except income excluded pursuant to subsection 6, must be verified, documented and counted in determining the eligibility or continued eligibility of an applicant or participant.
8. Except as otherwise provided in this subsection, the approval of an application by the Division to participate in the program pursuant to this section is valid for 1 year, and the participant may reapply for participation in the program by submitting an application in the same manner as the original application. A participant whose annual gross income increases such that the participant is no longer eligible to participate in the program pursuant to subsection 4 must immediately notify the Division ~~[and return an unused coupons]~~. Such a participant may reapply

for the program if he or she becomes eligible by submitting an application in the same manner as the original application.

9. As used in this section, “household income” means the income received by an applicant and the spouse of the applicant, if applicable.

[Taxicab Auth., Gen. Order No. 5 Rule 102, eff. 2-5-82]—(NAC A 6-13-86; 10-13-88; 3-7-90; A by Aging Services Div., 1-10-97; A by Aging & Disability Services Div. by R017-12, 9-14-2012)

NAC 706.864 Coupons. (NRS 427A.070)

~~1.~~ Coupons, or other method of currency exchange such as an electronics benefits card, may be purchased by eligible participants.†

~~2. 1. The Division will make available for purchase by participants coupon booklets containing 20 coupons in denominations of \$1 or 4 coupons in denominations of \$5.~~

~~3. 2. A participant whose annual gross income is:~~

~~4. (a) Less than or equal to 125 percent of the federally designated level signifying poverty may purchase not more than five booklets per month at a cost of \$10 per booklet.~~

~~5. (b) Greater than 125 percent but less than or equal to 200 percent of the federally designated level signifying poverty may purchase not more than four booklets per month at a cost of \$10 per booklet.~~

~~6. (c) Greater than 200 percent but less than or equal to 300 percent of the federally designated level signifying poverty may purchase not more than three booklets per month at a cost of \$10 per booklet.~~

~~7. (d) Greater than 300 percent but less than or equal to 400 percent of the federally designated level signifying poverty may purchase not more than two booklets per month at a cost of \$10 per booklet.~~

~~8.†~~ 2. *Purchase price or quantity of available coupons will be adjusted by the division to meet program, eligibility, and budgetary constraints.*

2. A coupon may be used to purchase service by a taxicab in the same manner as currency of the United States.

3. Certificate holders and their drivers shall accept the coupons in the same manner as currency of the United States.

4. The Aging *and Disability* Services Division will reimburse a participating holder of a certificate, ~~[in the amount of the denomination of a coupon]~~ for each authentic coupon submitted to the Division by the holder.

5. A coupon is not refundable and is void after the date of expiration printed on it.

~~{7. The Division may increase or decrease the number of coupon booklets that are made available for purchase per month by a participant in each income category set forth in subsection 2, depending on the amount of money available for that purpose.~~

~~8. Before purchasing a coupon booklet, a participant must:~~

~~(a) Report to the Division any changes in his or her income since his or her application was approved; and~~

~~(b) If his or her income has changed since his or her application was approved, submit verification of his or her current income to the Division.~~

~~9. The Division may allow a participant to purchase more coupon booklets than the participant is otherwise authorized to purchase pursuant to subsection 2 if the Division determines that the participant has a qualifying hardship. The Division may determine that a participant has a qualifying hardship if the participant submits documentation satisfactory to the Division that:~~

~~(a) The cost of travel to medical appointments for the participant is causing a hardship; or~~

~~(b) The participant has any other hardship that the Division determines is a qualifying hardship.~~
[Taxicab Auth., Gen. Order No. 5 Rule 103, eff. 2-5-82]—(NAC A 6-13-86; 10-13-88; A by Aging Services Div., 1-10-97)

NAC 706.870 Misuse of coupons. (NRS 427A.070)

1. Any participant who:

- (a) Obtains coupons by means of a false statement;
- (b) Fails to report a change in his or her income pursuant to subsection 8 of NAC 706.864; or
- (c) Transfers or sells coupons to any other person, may not purchase additional coupons for 1 year after the time of the infraction.

2. A taxicab driver shall not:

~~(a) Accept coupons upon which the signatures do not match.~~

(b) Present any coupon to the taxicab driver's employer for payment which was not given to him or her by a participant in exchange for transportation.

(c) Fail to endorse the taxicab driver's name and permit number on the reverse of any coupon presented to his or her employer for payment.

[Taxicab Auth., Gen. Order No. 5 Rule 105, eff. 2-5-82]—(NAC A 10-13-88; A by Aging & Disability Services Div. by R017-12, 9-14-2012)