

INTERPRETIVE MEMO

GA Rule Interpretation

Procedural Instruction

This memo remains effective statewide until it is specifically superseded – either by a subsequent memo or by a contradictory rule with a later date.

Please file in your manual facing the page indicated below.

Facing page 2652.2, 2652.3 Effective date of this memo 1/31/2018 Page 1 of 2

This memo: is new Replaces one dated 10/18/2014

UPDATE:

For temporary housing recipients requiring accessible housing or another reasonable housing accommodation, as defined by the Americans with Disabilities Act of 1990, as amended and the Vermont Public Accommodations requirement found at 9 V.S.A. 4502 the Department will authorize payment for temporary housing at accessible motel rooms, or motel rooms otherwise accommodating a disability, as follows:

1. The Department will first attempt to house the recipient in an accessible room, or room otherwise reasonably accommodating a disability, located in a motel on the Department's list of least expensive motels within the district.
2. If no room is available for the recipient at a motel on the above list, the Department will authorize payment for an accessible room, or room otherwise reasonably accommodating the disability, at a motel within the district at the least expensive rate available.
3. If no room is available within the district, the Department will authorize payment for an accessible room, or room otherwise reasonably accommodating the disability, at a motel nearest to the district, at the least expensive rate available. The Department will pay for accessible transportation to the motel at the least expensive mode and rate available.
4. To maintain housing for recipients requiring accessible housing or another reasonable housing accommodation, the Department will book the motel for the entire time of the recipient's potential eligibility (up to a maximum of 28 days under rule 2652.3 or 84 days under rule 2652.2). During this time, the recipient must maintain all eligibility requirements. The recipient is required to give 24-hour notice of a change of eligibility status. Should eligibility change, the Department will cancel the motel booking.

"Accessible motel room" means a room that complies with ADA standards for accessible design and Vermont's Accessibility Standards for Public Buildings. These are the architectural requirements a building must comply with to be accessible for individuals with a wide variety of physical disabilities (e.g. people who are blind, deaf, or have limited mobility).

Individuals with disabilities may also require reasonable accommodations that are not addressed by accessible design. For example, an individual with a respiratory disability triggered by secondhand smoke may request to be housed in a smoke-free motel. As required, the Department will make

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reasonable accommodations for individuals whose disability is not otherwise accommodated by accessible architecture or design.

The Department will not authorize payment for temporary housing if appropriate, accessible shelter space is available. Clients requesting a reasonable accommodation to be housed in a motel rather than a shelter must submit a completed Form 218M or submit a letter from a medical professional which effectively answers the questions on the form. If a letter from a medical professional is submitted, ESD will need the client to sign a release of information to allow ESD to speak with the medical professional.