

ABOUT TRANSIT OPTIONS FOR WHEELCHAIRS WHEN THE WHEELCHAIR IS USED AS THE SEAT IN A BUS OR VEHICLE

Problem: Individuals and caregivers may be told that in order to be transported on a school bus or other vehicles, while seated in a wheelchair, that transit options (aka: transit brackets) are **required**.

In Fact:

- Federal transportation regulations¹ do not require transit options.
- ADA² (Americans with Disabilities Act) regulations do not require transit options.
- State of Michigan regulations³ do not require transit options, including school buses.

Wheelchairs with and without transit options can, and should always, be secured properly on a bus or in a vehicle.

- This means that whoever is securing the wheelchair, knows how to do it properly for each wheelchair being used in the vehicle.
- The proper location for each tie-down (2 in the front and 2 in the back) should be determined for each wheelchair.
- The design of the wheelchair, and even the seating system, headrest and other accessories, will make a difference and can interfere with the tie-downs.
- Transit options make it easier and quicker to secure, but the seating system, headrest and other accessories should still be looked at closely.

Does Michigan Medicaid or CSHCS cover transit options?

No, transit options are not considered medical in nature. Equipment covered by Medicaid & CSHCS must be medically necessary.

Are you allowed to pay for transit options yourself?

Yes, since the transit options have been denied by Medicaid/CSHCS, you have the choice.

- If you want transit options, you may work with your DME supplier to pay for them, however you are not required and cannot be forced to include them on your wheelchair at a cost to you.
- If you choose to pay for transit options, you will be asked to sign documentation stating that it was your choice.

Is your school system allowed to pay for transit options?

Yes, since the transit options have been denied by Medicaid/CSHCS, if they choose to require them, they may offer to pay for them.

- However, you are not required and cannot be forced to include transit options on your wheelchair at a cost to you for the sole purpose of school bus transportation.

What is the safest way to transport an individual on a school bus or in a vehicle?

- Federal and state laws, wheelchair manufacturers, the Department of Transportation, Department of Education, RESNA⁴, and Medicaid/CSHCS agree, the safest way to transport someone who uses a wheelchair is to transfer them to the bus/vehicle seat and use the seat belts and restraints installed in the vehicle to secure the individual.
Then secure the wheelchair in the vehicle separately from the individual.
- When it's not safe to transfer an individual to the vehicle seat because they are unsafe in transfers, or they require more external supports than the vehicle seat provides, then they should be transported in their wheelchair, following federal and state laws and guidelines to appropriately secure them and the wheelchair.

Are WC-19 (Section 19 RESNA WC-4:2010)⁴ approved wheelchairs required in order to ride the bus?

No, WC-19 wheelchairs are designed for use as a seat when traveling in a motor vehicle and have been crash tested; they are preferable for transport when the individual remains in the wheelchair, however federal and state laws do not require it.

RESOURCES:

¹ FEDERAL REGULATIONS (RELATED TO SCHOOL BUS TRANSPORTATION)

49 CFR §38.23 Mobility Aid Accessibility

Title 49 Transportation

<https://www.gpo.gov/fdsys/pkg/CFR-1999-title49-vol5/pdf/CFR-1999-title49-vol5-sec571-222.pdf>

² PART 38—AMERICANS WITH DISABILITIES ACT (ADA) ACCESSIBILITY SPECIFICATIONS FOR TRANSPORTATION VEHICLES

Title 49: Part 38, Subpart B, §3.23

<https://www.gpo.gov/fdsys/pkg/CFR-1999-title49-vol1/pdf/CFR-1999-title49-vol1-chapA.pdf>

³ STATE OF MICHIGAN PUPIL TRANSPORTATION ACT

Act 187 of 1990

257.1810 Transportation of pupils; federal motor vehicle safety standards; restrictions

<http://www.legislature.mi.gov/documents/mcl/pdf/mcl-act-187-of-1990.pdf>

⁴ Rehabilitation Engineering Society of North America (RESNA)

www.resna.org

⁴ University of Michigan Transportation Research Institute

www.umtri.umich.edu

*If you have any questions regarding prior authorization of requested equipment,
please contact your DME provider / ATP (Assistive Technology Professional).*

*If you still have questions, you may call (800) 622-0276
to reach the Medicaid Program Review Division.*