

**Policy for Interagency Assistive Technology Implementation  
in the State of Utah  
MEMORANDUM OF AGREEMENT**

**PURPOSE OF THIS AGREEMENT:**

The purpose of this agreement is to outline a process to enhance the interagency provision of assistive technology devices and services to people with disabilities in the state of Utah.

**THIS POLICY IS TO BE UTILIZED SOLELY IN THE EVENT THAT A SINGLE AGENCY FUNDING SYSTEM CANNOT ADEQUATELY PROVIDE THE NEEDED ASSISTIVE TECHNOLOGY DEVICES AND/OR SERVICES THROUGH ESTABLISHED FUNDING PROCESSES. THIS AGREEMENT NEITHER SUPERCEDES NOR REPLACES INDIVIDUAL AGENCY RESPONSIBILITIES TO PROVIDE ASSISTIVE TECHNOLOGY DEVICES OR SERVICES TO ELIGIBLE PEOPLE WITH DISABILITIES.**

While it is understood that the main purpose of this agreement is to expedite and enhance the provision of assistive technology devices and/or services for people with disabilities, it is also recognized that a strong potential for cost-sharing exists in this interagency funding model which will also augment the utilization of available funding resources. The following agencies are participants in this agreement:

- Utah State Office of Rehabilitation Services
  - Vocational Rehabilitation
  - Independent Living
  - Division of Services for the Blind and the Visually Impaired
  - Division of Services for the Deaf and the Hard of Hearing
- Utah State Office of Education
  - Special Education Services Unit
  - Local School Districts
  - Utah Schools for the Deaf and the Blind
- Utah Department of Health
  - Division of Community and Family Health Services
  - Division of Health Care Financing
- Utah Department of Human Services
  - Division of Aging and Adult Services
  - Governor's Council for People with Disabilities
  - Division of Mental Health
  - Division of Services for People with Disabilities

**TERMS OF THIS AGREEMENT**

This agreement is effective January 25<sup>th</sup>, 2000 and shall continue until amended or revoked by the Utah Coordinating Council for People with Disabilities. Revocation of this agreement will require 30 days written notice by the Coordinating Council for People with Disabilities to all agencies/divisions listed above. THIS POLICY IS TO BE UTILIZED SOLELY IN THE EVENT THAT A SINGLE AGENCY FUNDING SYSTEM CANNOT ADEQUATELY PROVIDE THE NEEDED ASSISTIVE TECHNOLOGY DEVICES AND/OR SERVICES THROUGH ESTABLISHED FUNDING PROCESSES. THIS AGREEMENT NEITHER SUPERCEDES NOR REPLACES INDIVIDUAL AGENCY RESPONSIBILITIES TO PROVIDE ASSISTIVE TECHNOLOGY DEVICES OR SERVICES TO ELIGIBLE PEOPLE WITH DISABILITIES.

### **History**

The original Policy for Interagency Assistive Technology Implementation in the State of Utah was conceived in 1991 as a means to help consumers get assistive technology in a quick and efficient manner. Directors of state agencies on the Utah Assistive Technology Program (UATP) Management and Implementation Board asked UATP staff to draft the original Memorandum of Agreement. The final document was first ratified and signed by members of the original Coordinating Council for People with Disabilities (CCPD) in 1993.

The membership of the CCPD included all state agency directors from the Management and Implementation Board of the UATP. It was believed that the CCPD organization would carry more recognition and clout than to have individual members of the M&I Board sign the document.

The policy was rewritten in May of 1998 by an interagency committee appointed by the CCPD. It was determined that further changes were needed to insure consumer responsiveness and, after extensive review by a second committee appointed by the CCPD in November of 1999, has been rewritten into its current state.

### **1.0 Definitions**

The following definitions are provided to assist in understanding the scope of this policy. It should be understood that the term “assistive technology” is not all inclusive and that additional definitions may or may not apply in individual cases.

#### **1.1 Assistive Technology Device**

The term *assistive technology device* means any item, piece of equipment, or product system, whether acquired commercially off the shelf, modified, or customized, that is used to increase, maintain, or improve functional capabilities of individuals with disabilities. It may also include equipment outlined by agency-specific terminology including “rehabilitation technology”, “durable medical equipment”, “aids to daily living”, etc.

#### **1.2 Assistive Technology Service**

The term *assistive technology service* means any service that directly assists an individual with a disability in the selection, acquisition, or use of an assistive technology device. Such services include but are not limited to:

- (a) the evaluation of the needs of an individual with a disability, including a functional evaluation of the individual in the individual's customary environment;
- (b) purchasing, leasing, or otherwise providing for the acquisition of assistive technology devices by individuals with disabilities;
- (c) selecting, designing, fabricating, fitting, customizing, adapting, applying, maintaining, repairing, or replacing of assistive technology devices;
- (d) coordinating and using other therapies, interventions, or services with assistive technology devices, such as those associated with existing education and rehabilitation plans and programs;
- (e) training or technical assistance for an individual with disabilities, or where appropriate, the family of an individual with disabilities; and
- (f) training or technical assistance for professionals (including individuals providing education and rehabilitation services), employers, or other individuals who provide services to, employ, or are otherwise substantially involved in the major life functions of individuals with disabilities.

### 1.3 Assistive Technology Interagency Team (ATI Team)

It is the responsibility of entities providing services to people with disabilities to fund the assistive technology needs of individuals with disabilities who are determined eligible for their services. If it is determined that a single funding system cannot meet the assistive technology needs of an individual through established funding processes; an Assistive Technology Interagency Team may be formed. This team will consist of the person with a disability who is eligible for services (or, in extreme circumstances of inability to represent him/herself, his/her representative) and representatives from each appropriate agency from which that person is eligible to receive services.

## 2.0 **Initiation of the ATI Team Responsibility**

Generally, the agency representative responsible for the initiation of the ATI Team will be that agency which cannot meet the assistive technology needs of the person being served. However, in the event that the agency representative from the agency which cannot provide the technology or service does not initiate the ATI team formation, the person with a disability being served may initiate ATI team formation by contacting the funding specialist of the Utah Center for Assistive Technology. Each agency will select an appropriate representative for the team who will have a knowledge of the provision of assistive technology

devices and services, and the authority to commit agency funds and resources. This team will be formed and will have met no later than two weeks (10 working days) from when the person initiating the team first contacts the other agency representatives.

- 2.1 The Utah Center for Assistive Technology will provide a Funding Specialist who will be available as a resource in initiating ATI teams and in facilitating the interagency funding process.

### **3.0 Individual Agency/Statewide Assistive Technology Policy Development**

- 3.1 The participating agencies will appoint contact people who will serve as ATI team representatives on an “as needed” basis.
- 3.2 Each state agency that serves persons with disabilities will develop clear and consistent assistive technology policy/guidelines. It is agreed that such policies be designed to meet the needs of individuals with disabilities.
- 3.3 Agencies are encouraged to develop policies which will allow for, when appropriate, the continued individual use of assistive technology devices provided by the agency to the individual, even when the individual no longer qualifies for services from that agency.
- 3.4 All individual agency assistive technology policy development will include review by persons with disabilities or, in extreme instances of inability to represent themselves, their representatives, to assure that policies are consumer responsive and empower individuals with disabilities to make decisions affecting their lives. Each agency is responsible to assure that policies are appropriately disseminated.
- 3.5 Agency representatives on the Utah Coordinating Council for People with Disabilities (CCPD) will be responsible for reviewing and updating assistive technology policies of their respective agencies consistent with items 2.4 and 2.6.
- 3.6 The CCPD will assure that all state-wide AT policies are developed with appropriate consumer input.
- 3.7 Each agency providing AT devices and services will provide training to its respective staff in the use of agency specific AT policy/guidelines and interagency AT agreements.
- 3.8 The CCPD Resolution Process will be incorporated to resolve any interagency problems which may arise pursuant to this agreement. This policy in no way supersedes individual agency policy or individual legal rights. (See Attachment A).

### **4.0 Assistive Technology Assessments**

- 4.1 ATI Teams will use the assessment resources available in state service agencies as appropriate.
- 4.2 Assistive technology assessments pursuant to this agreement will consider the comprehensive needs of the person being served and may involve other agencies where appropriate. The ATI Team, including the person being served or, in extreme instances of inability to represent her/himself, her/his representative, shall be responsible to determine the configuration and scope of the assessment.
- 4.3 The Utah Center for Assistive Technology (UCAT) is available to appropriate agency personnel as part of the assessment process. Recommended technology may be demonstrated and loaned out on a short term, trial basis.
- 4.4 The final recommendation regarding purchase of technology is the responsibility of the ATI Team which includes the person being served or, in extreme instances of inability to represent her/himself, her/his representative. See Section 4 of this agreement for a description of interagency responsibility regarding purchase of AT devices and/or services.
- 4.5 Assessments pursuant to this agreement will include informing all parties that each agency has an appeals process and that this interagency policy does not affect the right of any party to appeal the assessment. Also, the CCPD Resolution Process will be used for resolution of inter-agency problems. (See 2.8 above and Attachment A).

## **5.0 Assistive Technology Acquisition**

- 5.1 **THIS AGREEMENT NEITHER SUPERCEDES NOR REPLACES INDIVIDUAL AGENCY RESPONSIBILITIES TO PROVIDE ASSISTIVE TECHNOLOGY DEVICES OR SERVICES TO ELIGIBLE PEOPLE WITH DISABILITIES.** Multiple relevant funding sources may be considered by the ATI Team when purchasing devices and services, and cooperating agencies may share the costs of devices and services to maximize resources. Federal and state rules/regulations will be followed when purchasing devices and services. Where appropriate and feasible, the agencies should allow personal ownership of the assistive technology. This Policy and Memorandum of Agreement will ease the transition from one service agency to another.
- 5.2 To the extent possible and in accordance with individual agency policies, consumers may be included in sharing the responsibility of funding the purchase of devices and services.
- 5.3 The Utah Center for Assistive Technology (UCAT) will:
  - (a) maintain a demonstration center where some technology may be tried out before final purchases are made;

- (b) maintain information on the quality of assistive devices and where devices may be purchased for the best prices;
  - (c) provide a funding specialist available to agency personnel to assist in coordinating the interagency funding process, and to provide accurate information on possible funding sources.
- 5.4 The Assistive Technology Coordinators, currently located in Independent Living Centers across the state may also be utilized as a resource in identifying appropriate technology solutions and in initiating the interagency funding process pursuant to this agreement.
- 5.5 The Access Utah Information and Referral (I&R) Network (located at the Governor’s Council for People with Disabilities) maintains a database of used equipment available for purchase which will be accessible to consumers and appropriate personnel from all involved agencies.

**6.0 Maintenance of Assistive Technology**

- 6.1 ATI Teams who determine the responsibility for the purchase of an assistive technology device will also determine responsibility for any training necessary for use of the device.
- 6.2 ATI Teams will make recommendations concerning responsibilities for maintenance, repair, insurance, and upgrades of devices. (Multiple agency commitments must be agreeable to the consumer and the involved agencies)
- 6.3 Consumers should be responsible for the maintenance and upgrading of AT devices and services according to agency requirements and eligibility guidelines.
- 6.4 As the ownership of a device passes from an agency to an individual , if appropriate and allowable, responsibility for maintenance, repair, insurance, and upgrades will also pass to the individual.
- 6.5 When the ownership, of a device passes from an agency to an agency, responsibility for maintenance, repair, insurance, and upgrades will pass, if appropriate and allowable, to the receiving agency.
- 6.6 All assistive technology not being used should be recycled through the UCAT or other appropriate center/agency in accordance with agency policy and made available through the used equipment sales bank maintained by the Access Utah Network located at the Governor’s Council for People with Disabilities.

IT IS MUTUALLY AGREED that, in the event that a single source funding system cannot provide the needed assistive technology devices and/or services through established funding processes, all participating agencies may:

1. coordinate AT assessments and referrals for the purchase or modification of AT;
2. coordinate AT purchases by exchanging specifications for needed equipment to

- maximize limited dollars;
3. cooperatively develop a plan to coordinate funding of AT items when an individual is found to be eligible for more than one agency's service and funds need to be coordinated;
  4. provide support to maximize and increase effectiveness of state and federal fund appropriations for assistive technology, wherever possible;
  5. Cooperate in and coordinate the collection and sharing of information for an annual report by UCAT of the met and unmet needs for AT. This information may be used to mutually plan for appropriate budget requests to address the identified needs;
  6. support recycling/refurbishing equipment; and
  7. support and/or provide the continuing education of providers of AT devices and services so that appropriate AT is recommended for purchase.

THIS MEMORANDUM OF AGREEMENT IS ADOPTED BY THE UTAH COORDINATING COUNCIL FOR PEOPLE WITH DISABILITIES ON THE 22<sup>nd</sup> DAY OF FEBRUARY, 2000.

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Utah State Office of Education  
Special Education

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Utah State Office of Rehabilitation

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Department of Human Services  
Division of Services for People with Disabilities

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Department of Health  
Division of Health Care Financing

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Department of Human Services  
Division of Mental Health

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Utah Schools for the Deaf and the Blind

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Department of Health  
Division of Community & Family Health Services