



**Americans with Disabilities Act (ADA) Transition Plan
Gulf Bend Center
2025**

**6502 Nursery Drive
Victoria, Texas 77904
Phone No: 361-575-0611**

Approved by: _____

Jeffrey Tunnell, Executive Director

Effective Date: Comment Period 2025

ADA Transition Plan for Gulf Bend Center

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Introduction

Transition Plan Need and Purpose

The [Americans with Disabilities Act \(ADA\)](#) is a civil rights law prohibiting discrimination against individuals on the basis of disability. It was enacted on July 26, 1990, and was amended in 2008 with the ADA Amendments Act. The ADA consists of five titles outlining protections in the following areas:

- Employment
- State and local government services
- Public accommodations
- Telecommunications
- Miscellaneous Provisions

Title II of the ADA pertains to the programs, activities and services provided by public entities. Gulf Bend Center must comply with this section of the Act, as it specifically applies to public service agencies. Title II of ADA states that “no qualified individual with a disability shall, by reason of such disability, be excluded from participation in or be denied the benefits of the services, programs, or activities of a public entity, or be subjected to discrimination by any such entity.” ([42 USC Sec. 12132](#); [28 CFR Sec. 35.130](#))

The Americans with Disabilities Act requires public agencies to ensure that all of their programs, services, and activities, when viewed in their entirety, are accessible to individuals with disabilities. In addition, the ADA requires that all new facilities built by public entities must be accessible to and usable by people with disabilities.

As required by Title II of ADA ([28 CFR Part 35 Sec. 35.105 and Sec. 35.150](#)), Gulf Bend Center has conducted a self-evaluation of its services, programs, activities, and facilities on public property and within public rights-of-way; and has developed this Transition Plan detailing the methods to be used to ensure compliance with ADA accessibility requirements.

Disability Defined

In the context of the ADA, "disability" is a legal term, not a medical one, and its definition differs from other laws, such as those governing Social Security Disability benefits. Under the ADA, a person with a disability is someone who has a physical or mental impairment that significantly limits one or more major life activities. This definition also extends to individuals with a history of such impairment, even if they do not currently have a disability, as well as those who are perceived as having a disability, even if they do not. Additionally, the ADA makes it unlawful to discriminate against someone based on their association with a person who has a disability.

ADA and its Relationship to Other Laws

Title II of ADA is companion legislation to two previous federal statutes and regulations: the [Architectural Barriers Act \(ABA\) of 1968](#) and [Section 504 of the Rehabilitation Act of 1973](#).

The Architectural Barriers Act of 1968 is a federal law that requires facilities designed, built, altered or leased with Federal funds to be accessible. The Architectural Barriers Act marks one of the first efforts to ensure access to the built environment.

Section 504 of the Rehabilitation Act of 1973 is a federal law that protects qualified individuals from discrimination based on their disability. The nondiscrimination requirements of the law apply to employers and organizations that receive financial assistance from any Federal department or agency. Title II of ADA extended this coverage to all state and local government entities, regardless of whether they receive federal funding or not.

Gulf Bend Center Requirements

Title II of the ADA further identifies specific steps that state and local governments must follow to comply with the ADA. These include:

- Prepare a Self-Evaluation of programs, services and activities that may not be accessible to people with disabilities.
- Develop a Plan to provide for the elimination of barriers for disabled persons to access these programs, services and activities.
- Designate at least one employee as the ADA/Section 1557 Coordinator to be responsible for the ADA compliance program.
- Establish a grievance procedure to respond to complaints regarding accessibility.
- Provide Notice to the public of the obligations under Title II to prohibit discrimination based on disability and
- Provide an Opportunity for interested persons, including individuals with disabilities, or organizations representing individuals with disabilities, to participate in the development of the Plan by submitting comments and making specific recommendations.

ADA Compliance Program

Purpose

The purpose of this plan is to ensure that all individuals are provided with reasonable access to all Gulf Bend Center facilities, programs, services and activities, and to identify and create a process to mitigate deficiencies within facilities, programs, services and activities that may pose an obstacle to those

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individuals that have a disability.

Designation of Responsibility

In accordance with [28 CFR 35.107\(a\)](#), Gulf Bend Center has designated the following positions to serve as ADA Title II Coordinators, to oversee the Center's policies and procedures, monitor progress with regards to implementation, and manage the review and update of this document:

- Director of Quality Management/Compliance
- Director of Human Resources

Training is an important tool for ensuring compliance with ADA requirements. The ADA Coordinators will identify resources and opportunities for agency employees at various levels to receive ADA-related training appropriate to their job functions.

Design Exceptions

Where it is technically infeasible or structurally impracticable to fully comply with federal or state minimum standards, Gulf Bend Center will make every effort to provide reasonable modifications that would improve the existing conditions to facilitate access to the maximum extent feasible.

Notification and Effective Communication

As required by Title II of the ADA, public agencies must notify applicants, participants, beneficiaries, and other interested people of their rights and of the Center's obligations under Title II, which prohibit discrimination based on disability.

Notice of Non-Discrimination

Gulf Bend Center shall make available to applicants, employees, participants, beneficiaries, and other interested parties' information regarding the provisions of Title II of the ADA and Section 1557 of the Affordable Care Act. This information pertains to the applicability of the laws to the services, programs, or activities of Gulf Bend Center. The ADA/Section 1557 Coordinators shall determine the appropriate manner for distributing this information to ensure that individuals are adequately informed of their protections against discrimination under these laws.

Gulf Bend Center has posted the Notice of Nondiscrimination at each facility location to address its policies related to employment, programs, and services.

Effective Communication

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To ensure that communications with applicants, participants and members of the public with disabilities are as effective as communications with others, Gulf Bend Center offers auxiliary aids and services at no cost, when requested in advance, by qualified individuals with disabilities. Written notification of the availability of auxiliary aids and services is provided on public meeting notices and displayed at public information counters. Listed below is sample wording for a meeting notice:

"In compliance with the Americans with Disabilities Act, persons with disabilities may request reasonable accommodations (including auxiliary aids and services at no cost) to participate in the meeting by contacting _____ [name] at _____ [phone] or _____ [email] at least 5 business days before the scheduled event."

Additionally, Gulf Bend Center includes the following statement on meeting notices, agendas, and public information materials to inform individuals that documents will be provided in alternate formats upon request:

"This document is available in alternate formats (such as large print, audio recording, or electronic format) upon request by individuals with disabilities."

Reasonable Modification Policy

Reasonable Modification

Gulf Bend Center shall make reasonable modifications in policies, practices, or procedures when the modifications are necessary to avoid discrimination based on disability, unless Gulf Bend Center can demonstrate that making the modifications would fundamentally alter the nature of the service, program, or activity.

Non-Discrimination

No person shall, on the grounds of age, race, sex, national origin, disability, religion, sexual orientation, gender identity be excluded from participation, be denied the benefits of, or be subjected to discrimination under any program, service or activity provided by Gulf Bend Center.

Individuals with Disabilities

No qualified individual with a disability shall, by reason of such a disability, be excluded from participation, be denied the benefits of, or be subjected to discrimination under any program, service or activity. Gulf Bend Center shall not exclude or deny equal programs, services or activities to an individual because of the known disability.

Qualified Individual with a Disability

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A qualified individual with a disability is an individual with a disability who, with or without reasonable modifications to rules, policies, or practices, the removal of architectural, communication, or the provision of auxiliary aids and services, meets the essential eligibility requirements for services or the participation in programs or activities provided by Gulf Bend Center.

Communications

Gulf Bend Center shall take appropriate steps to ensure that communications with applicants, participants, and members of the public with disabilities are as effective as communications with others. To this end, Gulf Bend Center shall furnish appropriate auxiliary aids and services where necessary to afford an individual with a disability an equal opportunity to participate in, and enjoy the benefits of, a service, program, or activity conducted by Gulf Bend Center. In determining what type of auxiliary aid or service is necessary, Gulf Bend Center shall give primary consideration to the requests of the individual with disabilities.

Auxiliary Aids and Services to be provided include but are not limited to:

- Providing qualified interpreters, transcription services, written materials, assistive listening systems or other methods for individuals with hearing impairments.
- Providing audio recordings, brailled materials, large print materials or other methods for individuals with visual impairments.
- Acquiring equipment needed to reasonably meet the needs of the community.
- Other actions or modifications needed to comply with ADA standards.
- Permitting access to a person with a disability accompanied by a service animal for assistance and
- Providing language services to individuals whose primary language is not English. (Translation of written materials or provision of qualified interpreters/translators).

Limits of Required Modifications

Gulf Bend Center is not required to take any action that it can demonstrate would result in a fundamental alteration in the nature of a service, program, or activity, or an undue financial and administrative burdens. Any decision that complies with its responsibility to provide effective communication for individuals with disabilities would fundamentally alter the service, program, or activity. The decision shall be accompanied by a written statement of the reasons for reaching that conclusion.

Employee Request for Accommodation

The Americans with Disabilities Act (ADA) of 1990 and the Americans with Disabilities Act Amendments Act (ADAAA) of 2008 are federal laws that require employers with 15 or more employees to not

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discriminate against applicants and individuals with disabilities and, when needed, provide reasonable accommodations to applicants and employees who are qualified for a job--with or without reasonable accommodations—so that they may perform the position's essential job duties.

It is the policy of Gulf Bend Center to comply with all applicable federal and state laws regarding the employment of individuals with disabilities. The organization also follows the regulations and guidance established by the Equal Employment Opportunity Commission (EEOC). Additionally, Gulf Bend Center is committed to full compliance with the ADA and ADAAA, including all provisions related to reasonable accommodations. The Center strives to provide fair and consistent accommodations to employees and applicants with disabilities, as required by law. This policy applies to all current employees and individuals seeking employment with Gulf Bend Center. Furthermore, it is Gulf Bend Center's policy not to discriminate against qualified individuals with disabilities in any aspect of employment. This includes- but is not limited to- application procedures, hiring, advancement, discharge, compensation, training, or other terms, conditions, and privileges of employment. Applicants or employees are responsible for providing timely notification when accommodation is required using the Employee Request for Accommodation form in Appendix A. All employee accommodation requests will be submitted to:

**ADA/Section 1557 Coordinators
Attn: Yvette Hausmann
Human Resources Department
6502 Nursery Drive, Ste 100
Victoria, Texas 77904
(361) 582-5368
Fax: (361) 578-5500
yvette5371@gulfbend.org**

Under Title I of the Americans with Disabilities Act, employers are required to provide reasonable accommodation to qualified applicants or employees with a disability unless doing so creates an undue hardship on business operations or poses a direct threat to the health or safety of the individuals or others in the workplace. Applicants who pose a direct threat to the health, safety and well-being of themselves or others in the workplace when the threat cannot be eliminated by reasonable accommodation will not be hired.

Reasonable accommodation may involve modifying the work environment or the way a job is usually performed. The steps involved in evaluating accommodation requests include:

- Determination of Employee Qualification- Determine whether the employee meets the definitions of a *qualified individual with a disability* under the ADA/ADAAA.
- Initiate the Interactive Process – Engage in a collaborative discussion to review the accommodation request from the employee or his/her health care provider to evaluate:
 - The nature severity and expected duration of any impairment(s)

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- activities limited by the impairment(s)
 - The extent to which the impairment(s) affect(s) the employee's ability to perform the job's essential duties or functions.
- Assess ADA/ADAAA Eligibility- Determine if the employee's condition qualifies as a disability under the ADA
- Determine Possible Accommodations- Explore and evaluate the potential accommodations that could enable the employee to perform their job duties.
- Evaluate Reasonableness- Determine if the proposed accommodation is reasonable or would create an undue hardship to the organization
- Notify the Employee- Communicate the decision- approval or denial- to the employee in a timely manner (7-10 working days).
- Initiate Implementation and Review- If approved, implement the accommodation and monitor for effectiveness, making modifications as necessary.

Reasonable accommodation may include, but are not limited to:

- Making facilities accessible and usable by individuals with disabilities
- Job restructuring or modified work duties
- Part-time or flexible work schedules
- Telecommuting arrangements
- Reassignment to a vacant position
- Acquisition or modification of equipment or assistive devices
- Adjustments to training materials, examinations, or workplace policies
- Provision of qualified interpreters or readers
- Other similar accommodations that assist individuals with disabilities in performing the essential functions of their job

Individuals currently using illegal drugs at or outside of work are excluded from coverage under Gulf Bend Center's ADA policy. Gulf Bend Center's ADA policy does not extend protections to individuals who are currently using illegal drugs. However, if an individual is in or has completed a drug rehabilitation program and is not currently using illegal drugs, a reasonable accommodation may be available.

If the approved accommodation requires equipment or furniture, the HR department will coordinate with the appropriate department in a timely manner. Managers and supervisors will be responsible for implementing any reasonable accommodation that is approved by the Director of Human Resources while ensuring that the accommodation request remains confidential. Human Resources is responsible for implementing this policy, including resolving reasonable accommodation, safety/direct threat and undue hardship issues. All documentation related to employee accommodation will be retained by the HR department, separate from the employee's main personnel file to ensure confidentiality and

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compliance with record-keeping standards.

Reasonable accommodation under the ADA/ADAAA is an ongoing process. At any point in time, the individual receiving reasonable accommodation may request a re-evaluation of their request from the Director of Human Resources. The Director of Human Resources will engage the individual in an interactive process to consider the reasonableness of any new requests and/or revisions to the initial request. Individuals who believe that there is a violation of this policy or who believe they have been treated in a discriminatory manner may file a complaint pursuant to Gulf Bend Center's discrimination complaint procedure.

Service Animals

Service animals are welcome at Gulf Bend Center. A service animal is defined as a dog or miniature horse that is individually trained to perform specific tasks or work for an individual with a disability. These tasks must be directly related to the person's disability. No other species are permitted public access under this policy. Furthermore, animals that provide only comfort, therapy, or emotional support- even if they are dogs or miniature horses- do not qualify as service animals. Service animal postings can be located throughout GBC and at satellite clinics. GBC employees must review the Service Animal Guidelines and Agreement in Appendix B and submit to:

**ADA/Section 1557 Coordinators
Attn: Yvette Hausmann
Human Resources Department
6502 Nursery Drive, Ste 100
Victoria, Texas 77904
(361) 582-5368
Fax: (361) 578-5500
yvette5371@gulfbend.org**

All service dogs or miniature horses must be harnessed, leashed, or tethered, unless these devices interfere with the service animal's work or the individual's disability prevents them from using these devices. Individuals who cannot use such devices must maintain control of the animal through voice commands, signals, or other effective controls.

Businesses may exclude service animals only under specific circumstances:

- If the service animal is out of control or if the handler cannot or does not regain control;
- If the service animal is not housebroken; or
- If the presence of the service animal compromises the legitimate safety requirements necessary for the safe operation of the facility.

If a service animal is excluded for one of these reasons, the individual must still be allowed to enter the business without the service animal.

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In situations where it is not apparent that the dog or miniature horse is a service animal, staff may ask only two questions:

- Is the dog or miniature horse required because of a disability?
- What work or task has the animal been trained to perform?

No other inquiries about an individual's disability or the service animal are permitted. Businesses cannot request proof of certification, medical documentation, or details about the individual's disability as a condition for entry.

The revised ADA regulations regarding service animals went into effect on March 15, 2011. For more information or assistance, please visit www.ada.gov or contact the ADA information line at 800-514-0301 (voice), 800-514-0383 (TTY).

Service Requests and Grievance Procedure

In compliance with Title II of the ADA, public entities with 50 or more employees are required to adopt and publish grievance procedures to address complaints of disability discrimination. GBC has implemented this grievance procedure to provide a system for resolving complaints of disability discrimination in a prompt and fair manner.

Service Requests

Service Requests by non-GBC employees or applicants must be made using the Request for Accommodation form, located in Appendix C or Appendix A for employees, should come into Gulf Bend Center through the following methods:

- Direct contact with the ADA/Section 1557 Coordinator(s)
- Rights Protection Officer
- Civil Rights Office
- Department of Health and Human Services (HHSC) by phone, email, mail or in person.

Request for Accommodation forms should be emailed, faxed, or hand delivered to:

**ADA/Section 1557 Coordinators
Attn: Sebbie Miller or Yvette Hausmann
Quality Management and Compliance or Human Resources Department
6502 Nursery Drive, Ste 100
Victoria, Texas 77904
(361) 582-5364 or (361) 582-5368
Fax: (361) 578-5500**

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sebbie5533@gulfbend.org or yvette5371@gulfbend.org

When accessibility requests are made, the ADA/Section 1557 Coordinator(s) logs the request into a locally maintained database. The ADA/Section 1557 coordinator(s) review and investigate the request, consulting with the Human Resources Department as appropriate, and provides a recommendation for resolution. If funding is required to fulfill the request, the recommendation is forwarded to Executive Management or the Board of Directors for approval. If funds are allocated, the request and recommendations are sent to the appropriate department to make the necessary corrections. Each request is monitored from the date of receiving the request until final resolution.

The ADA/Section 1557 Coordinator(s) summarize the service requests and complaints, including their resolution, in an annual report that is submitted to Executive Management and the Board.

Individuals with disabilities may also file a formal ADA grievance through:

- United States Department of Justice,
- Equal Employment Opportunity Commission (EEOC).

Grievance Procedures

Gulf Bend Center has established a formal ADA Grievance Procedure to address issues related to accessibility, employment, programs, and services. The grievance procedure and ADA Formal Written Complaint Form, as shown in Appendices D and E are available to the public and to employees via the ADA Coordinator/Section 1557 Coordinator(s). These may be used by anyone who wishes to file a complaint alleging discrimination based on disability in the provision of services, activities, programs, benefits, or access to facilities. The availability and use of the grievance procedures do not prevent a person from pursuing other legal or administrative remedies, such as filing a complaint based on discrimination related to age, race, sex, national origin, disability, religion, sexual orientation, or gender identity in court or with the U.S. Department of Health and Human Services, Office for Civil Rights.

The complaint should be submitted in writing and contain the following:

- Complainant's full name
- Address
- Phone number
- Location of issue
- Date of alleged violation, problem or action identified to be discriminatory

Description of the alleged violation, problem or action

- Description of the remedy/relief sought

Alternative means of filing complaints, such as personal interviews or a tape recording, will be made

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available upon request. Complaints should be submitted within 60 calendar days of the alleged violation to:

**ADA/Section 1557 Coordinators
Attn: Sebbie Miller or Yvette Hausmann
Quality Management and Compliance or Human Resources Department
6502 Nursery Drive, Ste 100
Victoria, Texas 77904
(361) 582-5364 or (361) 582-5368
Fax: (361) 578-5500
sebbie5533@gulfbend.org or yvette5371@gulfbend.org**

Within 30 calendar days after receiving the complaint, the ADA/Section 1557 Coordinator (or designee) will contact the complainant to discuss the issue and possible resolutions. Within 30 calendar days of contacting the complainant, the ADA/Section 1557 Coordinator (or designee) will respond in writing, and where appropriate, in a format accessible to the complainant. (e.g., large print, audio tape or electronic file.)

If the response is not satisfactory, the complainant (or designee) may appeal the decision within 15 calendar days of receiving the response to the Executive Director.

Within 30 calendar days of receiving the appeal, the Executive Director will contact the complainant to schedule a meeting to discuss the complaint and possible resolutions. A final written response, in an accessible format when needed, will be issued within 30 calendar days of the meeting.

All written complaints and corresponding responses will be retained by the ADA/Section 1557 Coordinator for at least three years.

To accommodate individuals with disabilities, this notice is available in alternate formats upon request.

Individuals with disabilities may also file a formal ADA grievances through:

- United States Department of Justice,
- Equal Employment Opportunity Commission (EEOC).

Inventory and Self-Evaluation

Self-Evaluation

Under Title II of the ADA ([28 CFR Sec. 35.105](#)), public entities are required to conduct a self-evaluation of their current services, policies and practices to ensure accessibility. The primary goal of the self-evaluation, along with the ADA Checklist, is to confirm that Gulf Bend Center is not inadvertently

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restricting full participation by individuals with disabilities through its management of programs and facilities by identifying any barriers to accessibility that may require corrective action. The general categories reviewed include:

- General Nondiscrimination- this includes contracting with external organizations, reasonable modifications, service animals, wheelchairs and other power-driven mobility devices, surcharges and costs, and other
- Communications, Information & Facility Signage.
- Building Facilities – these include offices, garages and other types of buildings.
- Pedestrian Facilities (Pedestrian Circulation Routes / Pedestrian Access Routes) – these include sidewalks, curb ramps, bicycle/pedestrian trails, traffic control signals and bus stops (and/or other transit facilities) that are located within the City/County rights-of- way.
- Administrative Requirements

As part of the Self-Evaluation process, the ADA/Section 1557 Coordinator(s) tasked staff with evaluating all facilities, programs, services, and activities operated or funded by Gulf Bend Center. The purpose was to ensure a safe, functional, clean and welcoming environment for customers and staff.

Additionally, Gulf Bend Center partners with Texas Council Risk Management Fund Representative to monitor facilities to ensure cleanliness, safety, accessibility and functionality of the environment on an annual basis.

List of Maintained Facilities/Offices

- Gulf Bend Center Main Building - 6502 Nursery Drive, Victoria TX
- Wellness Community – 1009 Nimitz, Victoria, TX
- Satellite Clinic Site - 1013 S. Wells St., Edna, Texas 77957
- Satellite Clinic Site - 114 Swift St., Refugio, Texas 78377
- Satellite Clinic Site - 1200 Carl Ramert Dr. Yoakum, Texas 77995

Funding

Gulf Bend Center may utilize public and/or private funding sources to support accessibility improvements.

Priority

Establishing priorities is essential for effective planning and execution of accessibility-related construction. Under Title II of the ADA, first priority is given to ensuring accessible pedestrian routes near:

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- state and local government offices and facilities,
- public transportation services,
- facilities serving the public,
- facilities containing employees,
- residential neighborhoods.

For the purposes of this plan, the highest priority accessibility construction projects are defined as follows:

- First Priority: requests submitted by qualified persons with disabilities.
- Second Priority: projects addressing safety concerns, such as missing curb ramps or sidewalk repair around the facilities.
- Third priority: Corrections of non-compliance around the facilities that do not pose safety risks.

Findings

In June 2025, GBC completed a self-evaluation of its services, programs, activities, and facilities located on public property and within public rights-of-way with regard to accessibility. An important component of the self-evaluation process is the identification of obstacles or barriers to accessibility, and the corresponding modifications that will be needed to remedy these items. The findings of the evaluation were documented in writing, outlining current levels of compliance. An Action Plan was subsequently developed listing specific policy or program modifications needed, along with target dates for completion.

Public Outreach

Gulf Bend Center recognizes that public participation is an important component in the development of this ADA transition plan. To ensure inclusive engagement, Gulf Bend Center has provided an opportunity for interested individuals, including individuals with disabilities or organizations representing them, to contribute by submitting comments and making specific recommendations during the plan's development. A comment period was announced on Gulf Bend Center's website to encourage community input. After adoption, the final transition plan will be available for public reference on Gulf Bend Center's website. Gulf Bend Center welcomes feedback from the public regarding the accessibility of its facilities, programs, and services. The public can communicate accessibility-related comments to Gulf Bend Center via email, phone, or by filling out the ADA Complaint Form.

Progress Monitoring and Transition Plan Management

This Transition Plan is considered to be a living document that will continue to be updated as conditions within Gulf Bend Center evolve. The initial schedule is to formally review the complete document (main

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body and appendices) every three to five years, to identify any need for updates. Updates to the appendices or attachments may be made more frequently as needed. Any substantive updates to the main body of this document will include a public comment period to continue the Gulf Bend Center's public outreach efforts.

The ADA/Section 1557 Coordinator(s) will prepare an annual report to document the progress of the ADA compliance program. The annual report is retained by the ADA/Section 1557 Coordinator(s) for at least three years and is made available to the public in alternate formats upon request.

The annual report is intended to identify the following information:

- The number of accessibility-related complaints and service requests
- The number of barrier removals and upgrades to improve accessibility
- The total funds spent on accessibility improvements
- Updates on funding availability and the actions taken to secure extra funding
- Summary of complaints and service requests received including resolution methods.
- Establishment of accessibility targets and goals for the upcoming year

Gulf Bend Center recognizes that ADA compliance is an ongoing responsibility which will require monitoring to identify future accessibility issues that may be encountered. For example, facilities that currently meet ADA requirements could fall out of compliance in the future due to factors such as damage, disrepair, or changes within public rights-of-way that could create new accessibility obstacles. Therefore, the ADA Title II Coordinators/ Section 1557 Coordinators will establish an on-going monitoring/inspection program or process to ensure that facilities continue to comply with ADA requirements. GBC employees will also be encouraged to report any accessibility concerns or deficiencies that are identified.

Formal Adoption of ADA Transition Plan

This ADA Transition Plan or updated ADA Transition Plan is hereby adopted by the Gulf Bend Center, effective July 2025.

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Appendix A – ADA Reasonable Accommodation Employee Request Form

To accommodate individuals with disabilities, this notice is available in alternate formats upon request.

ADA/Section 1557 Coordinator
Attn: Yvette Hausmann
Human Resources Department
6502 Nursery Drive, Ste 100
Victoria, Texas 77904
(361) 582-5368
Fax: (361) 578-5500
yvette5371@gulfbend.org

Employee's Name: _____ Date: _____

Job title: _____ Department: _____

Contact information: _____

Supervisor's name: _____

Describe the nature, extent and duration of your disability and how it affects your ability to perform your job duties:

Have you engaged in an interactive dialogue with your supervisor or HR representative to discuss your accommodation need? Yes ☐ No ☐

If yes, please provide a summary of the interactive dialogue:

If no, please describe the accommodations you believe are needed to enable you to perform the essential functions of this job. (Be as specific as possible, for example adaptive equipment, reader, interpreter, training, schedule change, etc.)

If you are not sure what accommodation is needed, do you have any suggestions about what options we can explore? Provide the name, address, telephone and fax numbers of your health care provider. The provider may receive a request from us for information regarding your impairment/disability and recommendations for accommodation.

Attach any supporting documentation that may be helpful in evaluating this request for accommodation.

I authorize the release of information regarding my disability to Gulf Bend Center management as deemed necessary by human resources to facilitate this request for accommodation.

Employee signature: _____ Date: _____

Appendix B – Service Animal Agreement and Guidelines

To accommodate individuals with disabilities, this notice is available in alternate formats upon request.

Service Animal Agreement and Guidelines

Gulf Bend Center is allowing employee name, position, to bring a service animal to Gulf Bend Centers facilities as an ADA accommodation, per your request.

ADA defines a service animal as “dogs that are individually trained to work or perform tasks for people with disabilities”. Under a separate provision must “permit miniature horses where reasonable” if they have been “individually trained to do work or perform tasks for people with disabilities”.

To determine whether the accommodation can be approved per ADA guidelines, the following questions with responses are as follows:

1. Is the service animal required because of a disability?

Response: *Example: Yes, my service animal is required due to disabilities.*

2. What work or task has the service animal been trained to perform?

Response: *Example: The animal is trained to cue on my breathing and/or speech patterns to intervene through physical touch to redirect me and alert me that I am manifesting tension which will in turn frequently manifest in physical symptoms. These symptoms include but are not limited to migraines and chronic pain throughout the body as diagnosed and treated by the Veteran's Health Administration.*

Listed below are the stipulations that all service animals and their employees/owners are expected to abide by in the workplace. These stipulations will be in effect whenever the animal is present on Gulf Bend Center property or while performing job duties on behalf of Gulf Bend Center at other locations including but not limited to client homes, or community partners' properties:

- A. The animal must be harnessed, leashed or tethered. An exception may occur if these devices interfere with the service animal's work, or employee's disability prevents them from using the devices. The employee understands that they must maintain control of the animal through voice, signal, or other effective controls. The animal must remain 100% under the control of the employee.
- B. The animal cannot cause any disruptions in the workplace (aggressive behavior, barking, growling, biting, distracting behaviors, relieving itself in the building, jumping on furniture, etc.) and if unable to remedy the situation, the Center has a right to ask that a service animal be removed and collaborate to determine if other accommodations can be made.
- C. Under certain circumstances the service animal may be prohibited from being utilized if admitting the service animal in a facility or interactions with clients would fundamentally alter the nature or service or program; or the service animal's presence would compromise legitimate safety requirements necessary for safe operation of the facility, or pose a legitimate safety concern or direct threat to the health and safety of patients, visitors and staff that cannot be eliminated.
- D. Any disruptions involving co-workers or clients who may have phobias or allergies will be accommodated by assigning each party, if possible, to different locations within the same room or facility.
- E. The owner must provide documentation, from a veterinarian, that shows the animal is free of all parasites, fleas, etc., and is up to date on all shots. It is the owner's responsibility to provide HR renewals of this documentation.
- F. The owner is financially responsible for any property damage, clean up, or pest control issues caused by the animal in the workplace or while in the scope of job duties.

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- G. The owner is financially responsible for any personal injury of coworkers or clients incurred by the animal (i.e., bites, people tripping and falling over the animal, etc.)
- H. The owner should provide any care the animal needs in the owner's personal time– or during breaks (i.e., feeding, watering, etc., all of which must be done outside of the building.)
- I. The owner is responsible for properly removing any solid waste the animal deposits outdoors in Gulf Bend Center property or client's property.

On days that job responsibilities take place in a client's home, provisions need to be made for the animal that does not interfere with the home visit.

Employee Name (Print)

Employee Signature

Date

Supervisor Signature

Date

Director of HR Signature

Date

Appendix C – Reasonable Request for Accommodation Form

To accommodate individuals with disabilities, this notice is available in alternate formats upon request.

ADA/Section 1557 Coordinators
Attn: Sebbie Miller
Quality Management and Compliance
6502 Nursery Drive, Ste 100
Victoria, Texas 77904
(361) 582-5364 or (361) 582-5368
Fax: (361) 578-5500
sebbie5533@gulfbend.org

Please print legibly.

Requesting Individual: _____ Date of Request: _____

Address: _____ City: _____

State: _____ Zip: _____ Telephone Number: _____

Other Contact Information: _____

If person who needs accommodation is not the individual completing this form, please complete below:

Name: _____ Telephone Number: _____

Other Contact Information: _____

Check One: Accommodation ☐ Barrier ☐ Removal ☐

Accommodation needed or location of barrier (*Be as specific as possible, e.g. assistive technology, reader, interpreter, schedule change, etc.*):

Brief statement of why the accommodation is needed or the barrier removed: _____

Date accommodation is needed: _____

Signature: _____ Date: _____

ADA/Section 1557

Coordinator/Representative: _____ Date: _____

Appendix D - Gulf Bend Center Grievance Procedures

To accommodate individuals with disabilities, this notice is available in alternate formats upon request.

This Grievance Procedure is established to meet the requirements of the Americans with Disabilities Act of 1990 (ADA). The ADA Formal Written Complaint Form can be found in Appendix E of this document. It may be used by anyone who wishes to file a complaint alleging discrimination based on disability in the provision of services, activities, programs, or benefits provided by Gulf Bend Center for access to facilities by individuals with disabilities. The availability and use of the grievance procedure does not prevent a person from pursuing other legal or administrative remedies, including filing a complaint of discrimination based on age, race, sex, national origin, disability, religion, sexual orientation, gender identity in court or with the Department of Health and Human Services, Office for Civil Rights.

- The complaint should be in writing and contain the following information regarding the alleged discrimination:
- Complainant name
- Address of complainant
- Phone number of complainants
- Location of complaint
- Date of alleged violation/problem or action identified to be discriminatory, and the remedy/relief sought
- Description of the alleged violation

Alternative means of filing complaints, such as personal interviews or a tape recording of the complaint will be made available for individuals with disabilities upon request. The complaint should be submitted by the complainant and/or his/her designee as soon as possible but no later than 60 calendar days after the alleged violation to the ADA/Section 1557 Coordinator:

ADA/Section 1557 Coordinators
Attn: Sebbie Miller or Yvette Hausmann
Quality Management and Compliance or Human Resources
6502 Nursery Drive, Ste 100
Victoria, Texas 77904
(361) 582-5364 or (361) 582-5368
Fax: (361) 578-5500
sebbie5533@gulfbend.org or yvette5371@gulfbend.org

Within 30 calendar days after receipt of the complaint, the ADA/Section 1557 Coordinator or his/her designee will contact the complainant to discuss the complaint and possible resolutions. Within 30 calendar days of contacting the complainant, the ADA/Section 1557 Coordinator or his/her designee will respond in writing, and where appropriate, in a format accessible to the complainant such as large print, audio tape or electronic file.

The response will explain the position of Gulf Bend Center and offer options for resolution of the complaint. If the response by the ADA/Section 1557 Coordinator does not satisfactorily resolve the issue, the complainant and/or his/her designee may appeal the decision within 15 calendar days after receipt of the response to the Executive Director.

Within 30 calendar days after receipt of the appeal decision, the Executive Director will contact the complainant to schedule a meeting to discuss the complaint and possible resolutions. Within 30 calendar days after the appeal, Gulf

Gulf Bend Center will respond in writing, and, where appropriate, in a format accessible to the complainant, with a final resolution of the complaint. All written complaints received by the ADA/Section 1557 Coordinator, and responses, will be retained by the ADA/Section 1557 Coordinator for at least three years

****To accommodate persons with disabilities, this notice is available in alternate formats upon request.***

Appendix E - ADA Formal Written Complaint Form

To accommodate individuals with disabilities, this notice is available in alternate formats upon request.

ADA/Section 1557 Coordinator
Attn: Sebbie Miller
Quality Management and Compliance
6502 Nursery Drive, Ste 100
Victoria, Texas 77904
(361) 582-5364
Fax: (361) 578-5500
sebbie5533@gulfbend.org

Please print legibly.

Reporting Individual: _____ Date of Request: _____

Address: _____ City: _____

State: _____ Zip: _____ Telephone Number: _____

Other Contact Information: _____

If person who needs accommodation is not the individual completing this form, please complete below:

Name: _____ Telephone Number: _____

Other Contact Information: _____

Program/Facility to be Inaccessible: _____

When did the situation occur (date)? _____

Describe the situation or way in which the program is not accessible, providing the name(s) where possible of the individuals who were involved in the situation, and any documentation or photographs supporting the incident:

Have efforts been made to resolve this complaint through the Request for Accommodation with the ADA/Section 1557 Coordinator? ☐ Yes or ☐ No

If yes, what were the results?

How do you suggest this issue be remedied? _____

ADA Transition Plan for Gulf Bend Center

Signature: _____ Date: _____

ADA/Section 1557
Coordinator/Representative: _____ Date: _____