

Device Lending

Definition

The AT Act requires state AT programs to “provide short-term loans of assistive technology devices to individuals, employers, public agencies, or others seeking to meet the needs of targeted individuals and entities, including others seeking to comply with the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.), the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.), and section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794)”.

The purpose of a short-term device loan may be (1) to assist in decision-making; (2) to serve as a loaner while the consumer is waiting for device repair or funding; (3) to provide an accommodation on a short-term basis; or (4) for professional development. In the Annual Program Report (APR) guidance (2016, www.ed.gov), a loan (counted as one) is defined as an occasion on which a device or devices were borrowed by an individual/entity who will use the device for one of the listed purposes.

Characteristics of Device Lending Programs

Device lending programs may be operated directly by the state AT Act program “central office”, partner agencies (e.g. that receive funds or devices to do one or more state level or state leadership activities), or a combination. There may be one central location, regional sites, or a combination. Devices may be shipped by commercial carrier (e.g. FedEx), US Postal Service, or through other systems available in the state (e.g. interlibrary loan). Some programs may require borrowers to pick up and/or return the device in-person, or use a combination of methods. A succinct description of the activity, including the process by which the majority of loaner devices are provided to the borrower, the process for obtaining devices for the inventory, the procedures used by borrowers to request devices, how the program tracks and ensures devices are returned and ready to be loaned out again, etc. is a component of the program’s State Plan for Assistive Technology (SPAT).

Section 4(e)(3)(B)(iii) of the AT Act requires that states coordinate and collaborate their State-level and State Leadership activities among public and private entities. Accordingly, the SPAT and the Annual Performance Report (APR) will also include information regarding entities with whom the program has a formal written agreement to provide funding to the program for the purposes of device lending, as well as entities to whom the state program provides support.

Performance Measures and Required Data Collection Elements

In accordance with Section 4f of the AT Act, the Annual Program Report will include data on “the number, type, and length of time of loans of assistive technology devices provided to individuals with disabilities, employers, public agencies, or

public accommodations through the device loan program...and an analysis of individuals with disabilities who have benefited from the device loan program.”

Although there are many purposes for which devices may be borrowed, access performance measures are collected and reported ONLY with consumers who have borrowed for the purpose of making a decision (decided that an AT device would/would not meet their needs). No decisions are made, and therefore, no decisions are reported, when the device is borrowed as a loaner during device repair or while waiting for funding to provide an accommodation (no decision is involved), or for training, self-education or other professional development activity (no decision is involved).

Loans for all other purposes (providing a device during repair or while waiting for funding, providing an accommodation for a time-limited event, or for use in training or personnel development) are included in the acquisition performance measure (could only afford to borrow; AT only available through the program; could obtain but the system was too long or complex).

For each borrower, data is reported on the category the borrower represents (e.g. education, employment, health, technology). Performance measures for both access and acquisition include the purposes for which the loan was made (for education, employment, or community living), as well as satisfaction.

Frequently Asked Questions

Must the state AT program conduct device lending?

No. Section 4(e)(6) of the AT Act allows a state to carry out any two or more of the four required state-level activities. This means the state can choose not to conduct up to two activities. If it chooses not to conduct device lending the state must claim either “comparability” or “flexibility” in its state plan.

Does the state’s device loan program need to offer devices in all of the device categories?

A state may decide that certain device categories are not appropriate or feasible for device lending. For example, devices requiring extensive sanitization (e.g. commode chairs), installation (e.g. grab bars), or devices that are extremely heavy and difficult to transport (e.g. lifts) may be excluded as per the program’s policies and procedures. It is permissible to have collections of devices that target specific groups by type of AT, disability, functional need, or other parameters, as long as the total activity is comprehensive and provides statewide, cross-disability opportunities for consumers to borrow a range of technologies. For example, a state AT program may have leveraged funds from the VR agency to loan computers and adapted access technologies. Conversely, there may be another entity in the state that adequately supplies a particular category of devices, for example, if the state’s blindness agency loans braille note takers and video magnifiers.

Must the device loan program be available for consumers across the lifespan and across the state/territory?

In general, the programs and services of the state AT Act program are intended to serve all the state's consumers, regardless of age or location within the state, in accordance with the AT Act's requirement for a "comprehensive" statewide program. It is permissible to have collections of loan devices that target specific groups by age or geographic location as long as the "big picture" provides statewide, cross-age opportunities for consumers. For example, the state AT program may have leveraged funds to manage device loans for early intervention in a particular locality, or because another statewide entity provides loans to children 0-21 statewide the state AT program may choose to focus on lending devices to adults.

Can the same inventory of devices be used for lending and demonstration?

You may use the same pool of devices for lending and demonstration. In this case, you will need to develop a system to make sure your devices are available when you need them to fulfill a request for a loan or when you need them for a demonstration.

Is there a minimum or maximum length of time for device loans?

There is no definition of "short term" and states may set their own parameters regarding length of loan. Short-term device loans have an end date by which they must be returned to the device loan program, and based on national data, this is typically between 30-45 days. Longer loan periods translate into a need for more items in the inventory. By contrast, devices that are loaned until the consumer no longer needs them are considered "open-ended loans" and these loans are counted as a reuse activity, NOT as device loan.

Can the program charge for device loans?

The state program may decide to levy a small charge to offset the costs of obtaining, maintaining, and/or shipping the devices. Any fees will need to be clearly described in the State Plan for Assistive Technology. Programs should note that fees may be a barrier for potential borrowers, and use these judiciously. If considering charging for shipping, it is recommended that the shipment to the consumer be at a small fee, but the return shipment should be free.

Must the decision made subsequent to a device loan (performance measure outcome) be related to the appropriateness of the specific brand/model of device(s) that was borrowed, or can the decision be more general (e.g. that some AT device would probably be useful)?

The options for the performance measures are (1) a decision was made that AT would help; (2) a decision was made that AT would not help; or (3) no decision was made. The performance outcome measure may be related to either a specific or general consideration of whether an assistive technology device might help. Even if

the borrowed device was not helpful, the consumer still might be able to decide that AT would help.

If one borrower requests a loan of three items at the same time in order to make a decision (e.g. to decide which model telephone provides sufficient amplification), is that ONE loan – or THREE loans?

If only one decision is being made, it is counted as one loan, even though there are three devices. The number of loans may not equal the number of devices.

If, on the same lending library application, a consumer requests a loan of three items that serve three different functions (e.g. a speech generating device, a tablet with an app for setting reminders, and a reacher), is that ONE loan – or THREE loans?

In this situation, the borrower is making three separate decisions. Each access decision is reported.

What can I do with equipment that is out of date or irreparable? Can I put it in reuse if it is still working, even if it is no longer sold or supported? Can I dispose of it if it is not functioning and is beyond repair?

You must follow US Department of Health and Human Services in this regard, as well as referring to the requirements of your lead agency or other entity that funded the particular device(s).

Resources

Community of Practice in Demonstration and Device Lending

Because both of these activities depend on access to and maintenance of an inventory of assistive technology devices, there is one combined Community of Practice to address these two “access” activities. To join, email amy.goldman@ataporg.org.

HHS Policy on disposition of equipment

http://www.ecfr.gov/cgi-bin/text-idx?SID=507cfac1519b49a7eb9e0d6fb98dac74&mc=true&node=pt45.1.75&rgn=div5#se45.1.75_1320

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