

# **PERSONAL ASSISTANCE SERVICES PROCEDURES**

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LOUISIANA NATIONAL GUARD  
PERSONAL ASSISTANCE SERVICES SOP

**Table of Contents**

**Page**

1. <a href="#">Purpose</a>	3
2. <a href="#">Personal Assistance Services</a>	3
3. <a href="#">Undue Hardship</a>	3
4. <a href="#">Targeted Disability</a>	4
5. <a href="#">Responsibilities</a>	4
6. <a href="#">Time Frames for Compliance</a>	5
7. <a href="#">Personal Assistance Services Procedures</a>	5
8. <a href="#">Points of Contact and Distribution of These Procedures</a>	6

UNCLASSIFIED

LOUISIANA NATIONAL GUARD  
PERSONAL ASSISTANCE SERVICES SOP

1. **Purpose.** This policy is intended to ensure that the Louisiana National Guard (LANG) is taking affirmative action on behalf of individuals with disabilities by providing Personal Assistance Services (PAS).

2. **Personal Assistance Services.**

a. PAS provide employees with targeted disabilities assistance with performing activities of daily living that an individual would typically perform if they did not have a disability.

b. PAS must be performed by a personal assistance service provider as a reasonable accommodation.

c. PAS must be provided when needed because of job-related travel. An employee receiving PAS in the office must still request PAS for job-related travel. It is also possible that an employee may require different PAS for travel than is usually required. Since PAS for job-related travel are also considered a form of reasonable accommodation, requests for these services will be handled as requests for reasonable accommodation.

d. Employees do not need to determine if what they need is a reasonable accommodation or PAS; they should simply contact the HRO and explain what they need. The HRO will determine whether the request is for reasonable accommodation or PAS and proceed accordingly.

e. The LANG must provide PAS if:

(1) an employee requires them because of a "targeted disability."

(2) provision of these services would, together with any reasonable accommodations required, enable an employee to perform the essential functions of the position the individual holds or desires

(3) provision of such services would not impose an undue hardship on the agency.

3. **Undue Hardship.** Undue hardship considers the nature, extent, and cost of an accommodation in relation to an agency's overall resources and the impact on the operation of the agency's business. Determination of undue hardship is always made on a case-by-case basis.

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LOUISIANA NATIONAL GUARD  
PERSONAL ASSISTANCE SERVICES SOP

4. **Targeted Disability.** A "targeted disability" is one that is designated as a "targeted disability or serious health condition" on the Office of Personnel Management's Standard Form 256 ([https://www.opm.gov/Forms/pdf\\_fill/sf256.pdf](https://www.opm.gov/Forms/pdf_fill/sf256.pdf)):

- a. Developmental disability, such as the autism spectrum disorder
- b. Traumatic brain injury
- c. Deaf or serious difficulty hearing, benefiting from, for example, American Sign Language, Communication Access Real-time Translation (CART), hearing aids, a cochlear implant and/or other supports
- d. Blind or serious difficulty seeing even when wearing glasses
- e. Missing extremities (arm, leg, hand, and/or foot)
- f. Significant mobility impairment, benefiting from the utilization of a wheelchair, scooter, walker, leg brace(s), and/or other supports
- g. Partial or complete paralysis (any cause)
- h. Epilepsy or other seizure disorders
- i. Intellectual disability
- j. Significant psychiatric disorder, for example, bipolar disorder, schizophrenia, PTSD, or major depression
- k. Dwarfism
- l. Significant disfigurement, for example, disfigurements caused by burns, wounds, accidents, or congenital disorders.

5. **Responsibilities.**

- a. The HRO will conduct the interactive process, request medical information as necessary, and determine whether to grant or deny PAS. The HRO handles all requests for PAS, even those requests made to a supervisor or manager.
- b. The Deputy HRO will process requests when the HRO is unavailable. The Deputy HRO is expected to fully comply with applicable time frames and must be familiar with the HRO's role and the PAS obligation under the affirmative action provision of the Rehabilitation Act.

UNCLASSIFIED

LOUISIANA NATIONAL GUARD  
PERSONAL ASSISTANCE SERVICES SOP

**6. Time Frames for Compliance.** The following time frames apply to the processing of requests for PAS:

a. An employee with a disability (or a third party on behalf of an employee) makes a request for PAS using the Personal Assistance Services Request form.

b. If the request for PAS is made to someone other than the HRO, such as a supervisor or someone else in the employee's chain of command, the recipient must forward the request to the HRO within two (2) business days of receiving the request, if practicable.

c. The HRO will contact the requestor to acknowledge receipt of the request within seven (7) business days, if practicable, after the request was first received. The HRO must sign the Personal Assistance Services Request form acknowledging receipt of the request. The HRO may or may not begin discussing the substance of the request at that time.

d. The HRO will contact the requestor within seven (7) business days, if practicable, of receiving the request to have a discussion about the request - that is, to begin getting more information, as necessary, including information about the medical condition, why the PAS is needed, and the specific limitations posed by the disability.

e. The HRO will complete processing of the request within twenty (20) business days, absent extenuating circumstances, after the request was first received. Completion of processing includes the provision of PAS, if granted. The 20-day period may be extended if medical documentation is requested and/or if there are "extenuating circumstances." The HRO will notify the requestor, orally and in writing, whether such services will be granted or denied.

f. If the HRO denies the request for PAS, the requestor has ten (10) business days after receipt of denial to file a request for reconsideration with The Adjutant General (TAG).

g. TAG has fifteen (15) business days to reconsider the HRO's decision and issue a final decision.

**7. Personal Assistance Services Procedures**

a. The LANG will generally use the same procedures it follows for processing requests for reasonable accommodation and will follow the same time frames for processing requests.

UNCLASSIFIED

LOUISIANA NATIONAL GUARD  
PERSONAL ASSISTANCE SERVICES SOP

b. Federal technicians should follow the guidance in the Reasonable Accommodation Procedures if they want to request PAS. Similarly, the responsibilities of the HRO, the employee, and other relevant staff (e.g., supervisors and managers) during the interactive process, as discussed in the Reasonable Accommodation Procedures, apply to requests for PAS.

c. The HRO will also follow the Reasonable Accommodation Procedures as they address requests for medical information and confidentiality.

**8. Points of Contact and Distribution of These Procedures**

a. Any individual wanting further information concerning these procedures may contact CW3 Philip M. Cancienne, State Equal Employment Manager, at 504-258-4943 or philip.m.cancienne.mil@army.mil.

b. These procedures shall be distributed to all Federal Employees. They will also be posted on the agency's website and be available in the Office of Equal Opportunity.

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