

Motor Vehicle Division Policy Memo # 19-04

Eligibility for Homebound Issuance of Non-Operator IDs

DATE: 5/16/19

FROM: Darcy Doty, Driver & Identification Services

TO: All Driver and Identification Services (DIS) staff, Iowa County Treasurers and County Treasurers' staff that issue driver's licenses and non-operator's identification cards

EFFECTIVE DATE: Immediate

SUBJECT

This memo explains the criteria a customer must meet to be eligible for issuance of a non-operator ID without appearing for in-person issuance, when in-person issuance would otherwise be required.

EXPLANATION & ELIGIBILITY CRITERIA

It has been the practice of Driver & Identification Services staff, specifically MVD County Liaisons and Driver's License Service Center Supervisors, to issue credentials to customers without in-person appearance if the customer has extenuating circumstances like a permanent condition that renders them incapable of appearing at an issuance location. While the issuance process for these customers is detailed in the ARTS examiners manual (Section B), additional clarification is needed to identify what types of customer circumstances necessitate homebound issuance.

There are many specific scenarios in which a customer or their caregiver may feel that they cannot appear for in-person issuance, but it is important to ensure that a consistent eligibility standard is followed. In general, a customer is eligible for remote issuance of a non-operator ID if appearing at an issuance site causes undue hardship for the customer due to a medical, physical, or mental condition, and they provide a statement of necessity from a healthcare professional. For example, this could include customers who are bedridden or homebound for medical reasons, in a vegetative state, or are otherwise physically or mentally incapacitated. These customers have a need to be issued an ID without leaving their own residence or long-term care facility, often to obtain services that require a form of unexpired, legal identification.

Mobility or convenience issues alone, such as the customer needing a wheelchair or walker or having limited transportation options, are not grounds for homebound issuance. In addition, this process is reserved for circumstances in which the applicant is permanently unable to appear for an in-person transaction, though exceptions may be made for individuals who will be incapacitated for a length of time and are requesting an ID only. **Homebound customers are not eligible for issuance or renewal of a driver's license; they may reapply for licensing when they are physically and mentally qualified to drive.**

GUIDELINES & CONSIDERATIONS

Homebound issuance is processed by Driver License Service Center Supervisors or MVD County Liaisons. Credentials issued through this process remain valid for the same amount of time as credentials issued in-person (eight years for all non-operator ID cards, per Iowa Code §321.196).

Photos

Customers issued remotely should have an existing, authentic record, and therefore the photo on file should be used. If a photo is more than 16 years old, or the customer advises that significant, noticeable physical change

has occurred (exclusive of the normal aging process), then a new photo will need to be captured off-site, in consultation with management and IT staff. Customer requests for a new photo should be handled with discretion, and the customer should provide explanation of the significant physical change that has occurred to necessitate capture of a new photo.

Fee waiver

As is the case for in-person transactions, any customer who is surrendering their license for a medical condition (or any 'permanent' surrender of privileges due to capability issues) will be issued a non-operator ID at no charge. All subsequent renewals are subject to the normal fee and the fee cannot be waived. Fee waiver is reserved for the initial voluntary surrender or suspension of driving privileges of a customer who has a condition that makes driving impossible or unsafe or are at a point in their life where they permanently can no longer drive (IAC 630.2(5)).

Statement of necessity

In order to determine if a customer is eligible to be issued an ID without appearing in-person, they must provide a statement of necessity from a healthcare professional containing support for and explanation of why the customer cannot appear for issuance. Any health care professional, such as a nurse (RN, ARNP, LPN), physician (MD or DO), physician's assistant (PA, PAC), other healthcare provider or patient administrator can write the statement of necessity supporting the customer's request. Statements written by family members or caregivers who are not the customer's qualified healthcare professionals do not satisfy this requirement. General statements that it would be difficult for the person to appear are not acceptable; the specific reason they are unable to appear must be identified (i.e. bedridden, homebound, etc.) A call should be made to the healthcare professional for any necessary verification, and their response documented. The statement must be in writing or in email directly from the healthcare provider so that it can be saved in the customers' ERMS file.

If a customer who previously was issued under this policy seeks to renew an ID, they must provide a new statement of necessity from a healthcare professional.

QUESTIONS AND ANSWERS:

CAN REAL ID CREDENTIALS BE ISSUED AND/OR RENEWED UNDER THIS POLICY?

New REAL ID credentials cannot be issued remotely, due to the document verification requirements established in 6 C.F.R. §37.13 and IAC 761—601.5. However, if the customer has an existing REAL ID credential, it can be renewed remotely as long as issuance staff reverifies the applicant's SSN and lawful status prior to renewal, and there has not been a material change in any personally identifiable information since prior issuance (6 C.F.R. §37.25; IAC 761—601.7).

IS HOMEBOUND ISSUANCE POSSIBLE FOR A CUSTOMER WHO HAS NO IOWA RECORD (I.E. THE CUSTOMER IS FROM OUT-OF-STATE)?

Yes. Homebound issuance for a customer with no valid Iowa record is rare but possible. As the circumstances surrounding determination of need will vary by customer, please consult with management when these requests arise.

IF A CUSTOMER STATES THAT THEY NEED TO RENEW OR BE ISSUED REMOTELY, BUT CANNOT PROVIDE A STATEMENT OF NECESSITY FROM A HEALTHCARE PROFESSIONAL, CAN THEY STILL BE ISSUED UNDER THIS POLICY?

No; a statement of medical necessity is required to be eligible for homebound issuance.

A CUSTOMER NEEDS SPECIAL ACCOMODATIONS FOR IN-PERSON ISSUANCE, AND IT WOULD BE EASIER TO ISSUE THEM REMOTELY. IS THAT OK?

No; it is important to distinguish between a customer needing accommodations at a service center, and a customer who is unable to appear at a service center to be issued. Customers needing special accommodations, such as issuance before or after hours due to crowd size or light sensitivity, should be accommodated at an issuance location. Homebound issuance is reserved only for individuals on whom it would be an undue hardship to appear in-person due to a medical, physical, or mental condition, as outlined in the explanation above.

IF A CUSTOMER WHO HAS CURRENT, VALID DRIVING PRIVILEGES REQUESTS HOMEBOUND ISSUANCE DUE TO INCAPABILITY, SHOULD WE SANCTION THE CUSTOMER?

The answer depends on what the customer discloses to you and/or what is contained in the written statement of necessity, and is the same as it would be for an in-person transaction. If the customer, in writing or verbally, tells you that their doctor says they can no longer drive or provides a specific medical reason which renders them incapable of safely operating a motor vehicle, a suspension or denial (manual sanction) should be served.

THE CUSTOMER IS INCAPABLE OF DRAFTING A WRITTEN REQUEST, AND THEIR CAREGIVER OR A RELATIVE REQUESTED THE ID ISSUANCE. IS THAT OK?

In instances where a customer is incapable of providing the request, we will accept a written request by a family member or caregiver, including the specific reason why the customer is incapable of providing the request, with verification by a healthcare professional. We will review the necessity of the request to determine eligibility and the necessity to be issued without appearing in-person.

If the person's license is still valid, we need someone with power of attorney for legal decisions, not just health care decisions, to note in writing that the driving privilege is being voluntarily surrendered. If the license is expired, it is permissible to accept the family member or caregiver's request with the health care professional's verification.

WHY CAN'T WE DIRECT THE PERSON TO RENEW THEIR CREDENTIAL ONLINE?

If the customer is eligible for electronic renewal, they may certainly renew their credential online through myMVD. The specific conditions for electronic renewal of credentials are established in IAC [605.25\(7\)](#) and IAC [630.2\(10\)](#) and if the person is not eligible for online renewal, the system will prevent them from renewing online. However, in many circumstances that necessitate homebound issuance (i.e. ID has been expired for more than one year), the customer is ineligible for electronic renewal.

WHAT IS THE PROCESS FOR ISSUING ELIGIBLE CUSTOMERS REMOTELY?

As outlined in the **ARTS Examiners manual, Section B**, the process is the following:

Customers who are physically unable to appear in a service center may request issuance of a non-operator ID without appearing in-person. For specific eligibility criteria, see PM 19-04. To accommodate these requests, contact your DL Service Center Supervisor or MVD County Liaison.

The following are required:

- The customer must have an authentic record on file.
- The customer must submit a written request that includes the following:
 - o customer's full name
 - o address
 - o date of birth
 - o phone number
 - o specific explanation why they are requesting homebound issuance
 - o written statement of necessity from healthcare professional explaining the specific reason the customer cannot appear in-person (if clarification is needed, a call should be made to the health

professional, and their response documented). The statement can be provided by a doctor, nurse, physician's assistant, patient administrator, or other healthcare professional, but *not* a family member or caregiver who is not the customer's qualified healthcare professional.

- *If the customer is incapable of providing a written request, it is acceptable for a family member or caregiver to draft the request. However, if the customer's license is still valid, someone with power of attorney for legal decisions must note in the request that the driving privilege is being voluntarily surrendered*
- Voluntary surrender form when customer is surrendering their DL for an Iowa ID (or written statement acknowledging that they are voluntarily surrendering an unexpired DL for a non-operator ID included in the customer's written request).
- The cost of the duplicate or issuance fee. Create a Miscellaneous Transaction Receipt for the money collected. The receipt may be mailed to the customer if requested. (As is the case for in-person transactions, any customer who is surrendering their license for a medical condition (or any 'permanent' surrender of privileges due to capability issues) will be issued a non-operator ID at no charge. All subsequent renewals are subject to the normal fee and the fee cannot be waived)

The documents are to be scanned in to ERMS and the ID issued by the appropriate DL Service Center Supervisor or MVD County Liaison. Fees are to be deposited with daily deposit. If a determination is made to not issue the credential a refund is to be processed.

NOTE FOR PHOTO CAPTURE: If a photo is more than 16 years old, or the customer advises that significant, noticeable physical change has occurred (exclusive of the normal aging process), then a new photo will need to be captured off-site, in consultation with management and IT staff. Customer requests for a new photo should be handled with discretion, and the customer should describe the significant physical change that has occurred to necessitate capture of a new photo.