
HOUSE COMMITTEE AMENDMENTS

2021 Regular Session

Amendments proposed by House Committee on Health and Welfare to Original House Bill
No. 91 by Representative Echols

1 AMENDMENT NO. 1

2 Delete pages 2 and 3 in their entirety and insert in lieu thereof the following:

3 "B. For purposes of this Section, the following definitions apply:

4 (1) "Department" means the Louisiana Department of Health.

5 (2) "NEMT services" means nonemergency, non-ambulance medical
6 transportation.

7 (3) "Type 1 TNC" means a transportation network company with drivers and
8 vehicles that meet the driver and vehicle requirements for transportation network
9 companies set forth in this Chapter.

10 (4) "Type 2 TNC" means a transportation network company that meets all
11 of the following qualifications:

12 (a) The company has drivers and vehicles that meet or exceed the driver and
13 vehicle requirements for transportation network companies set forth in this Chapter

14 (b) The company has drivers and vehicles that meet driver training and
15 vehicle requirements provided in rules and regulations of the department.

16 (c) The company has scheduling software that meets all department
17 requirements and is able to send the driver special transport instructions to include
18 hand-to-hand or door-to-door levels of service as well as all special instructions
19 required to transport a Medicaid enrollee safely.

20 C.(1)(a) The department shall promulgate rules and regulations authorizing
21 Type 1 TNCs to connect drivers to riders for the purpose of providing NEMT
22 services within this state through the Louisiana Medicaid program. The rules shall
23 establish requirements for Type 1 TNCs and Medicaid enrollees utilizing such
24 companies for NEMT services which include, without limitation, all of the
25 following:

26 (i) The Medicaid enrollee must have a smartphone that is able to receive trip
27 information that the Type 1 TNC sends by text.

28 (ii) The Medicaid enrollee must be able to interpret and understand texted
29 trip information.

30 (iii) The Type 1 TNC shall not provide NEMT services to any enrollee of a
31 Medicaid waiver program for persons with intellectual or developmental disabilities
32 if the enrollee is interdicted or under a continuing tutorship.

33 (b) Type 1 TNCs shall be prohibited from providing NEMT services to all
34 of the following persons:

35 (i) Minor children seventeen years of age and younger riding alone.

36 (ii) Medicaid enrollees requiring hand-to-hand or door-to-door assistance.

37 (iii) Any Medicaid enrollee who has requested that his NEMT services not
38 be provided through a transportation network company.

39 (iv) Medicaid enrollees who need personal mobility assistance from a driver.

40 (v) Medicaid enrollees who need assistance with multiple car seats.

41 (vi) Medicaid enrollees whose trip information is to be texted to anyone else
42 besides the enrollee.

43 (vii) Any Medicaid enrollee with an escort who needs assistance from a
44 driver. For purposes of this Item, "escort" means a person riding with the enrollee.

1 (2) The department shall promulgate rules and regulations authorizing Type
2 2 TNCs to connect drivers to riders for the purpose of providing NEMT services
3 within this state through the Louisiana Medicaid program. The rules shall provide
4 for requirements and prohibitions relative to Type 2 TNCs and Medicaid enrollees
5 utilizing such companies for NEMT services which include, without limitation, all
6 of the following:

7 (a) The Medicaid enrollee must have a smartphone that is able to receive trip
8 information that the Type 2 TNC sends by text.

9 (b) The Medicaid enrollee must be able to interpret and understand texted
10 trip information.

11 (c) The Medicaid enrollee was contacted by the department or a Medicaid
12 managed care organization that contracts with the department and agreed to receive
13 NEMT services through a transportation network company.

14 (d) The Type 2 TNC shall not provide NEMT services to any of the
15 following persons:

16 (i) Any enrollee of a Medicaid waiver program for persons with intellectual
17 or developmental disabilities unless the enrollee is approved by his parent or
18 guardian and, if applicable, his case manager or group home manager

19 (ii) Any minor child sixteen years of age or younger riding alone.

20 (e) The Type 2 TNC shall not provide NEMT services to any Medicaid
21 enrollee who needs personal mobility assistance from a driver unless the company
22 offers this type of assistance.

23 D.(1) Subject to the conditions of Paragraphs (2) and (3) of this Subsection,
24 the department shall implement the provisions of this Section through the inclusion
25 of such provisions in all Medicaid managed care contracts that the department enters
26 into after July 1, 2022.

27 (2) Implementation of the provisions of this Section shall be subject to
28 approval by the Centers for Medicare and Medicaid Services.

29 (3) The department shall not implement the provisions of this Section until
30 sufficient funds are appropriated by the legislature for this purpose."