

ACT No. 638

2022 Regular Session

HOUSE BILL NO. 1012

BY REPRESENTATIVE LYONS

1 AN ACT

2 To enact Part VI of Chapter 5-E of Title 40 of the Louisiana Revised Statutes of 1950, to be
3 comprised of R.S. 40:1257.1 through 1257.4, relative to the medical assistance
4 program of this state known commonly as Medicaid; to provide relative to Medicaid-
5 funded non-emergency medical transportation services; to provide for duties of the
6 Louisiana Department of Health with respect to such services; to provide for
7 standards for such services; to require promulgation of administrative rules; and to
8 provide for related matters.

9 Be it enacted by the Legislature of Louisiana:

10 Section 1. Part VI of Chapter 5-E of Title 40 of the Louisiana Revised Statutes of
11 1950, comprised of R.S. 40:1257.1 through 1257.4, is hereby enacted to read as follows:

12 PART VI. NON-EMERGENCY MEDICAL TRANSPORTATION

13 §1257.1. Definitions

14 As used in this Part, the following terms have the meaning ascribed in this

15 Section:

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

17 (2) "Healthcare provider" means a person, partnership, limited liability
18 partnership, limited liability company, corporation, facility, or institution that

1 provides healthcare or professional services to individuals enrolled in the Medicaid
2 program.

3 (3) "Medicaid" means the medical assistance program provided for in Title
4 XIX of the Social Security Act.

5 (4) "Non-emergency medical transportation" and "NEMT" mean
6 transportation provided to a Medicaid beneficiary to or from a medically necessary
7 Medicaid-covered service. The term shall not include any non-emergency or other
8 type of transportation by ambulance.

9 §1257.2. Non-emergency medical transportation services

10 A. The Medicaid program of this state shall include non-emergency medical
11 transportation services, referred to hereafter in this Part as "NEMT services". The
12 purpose of NEMT services shall be to provide non-emergency medical transportation
13 to a Medicaid beneficiary after all other reasonable means of free transportation for
14 that person have been explored and found to be unavailable. The Medicaid
15 beneficiary or his representative shall confirm that the beneficiary has no other
16 means of transportation.

17 B. Non-emergency medical transportation to or from a pharmacy, a nursing
18 facility, hospice care, or an appointment for Special Supplemental Nutrition Program
19 for Women, Infants, and Children services at an office of public health location is
20 prohibited.

21 §1257.3. Standards for services; prohibition

22 No healthcare provider shall contract with or hire a transportation company
23 to provide NEMT services if that company does not meet local, city, and state
24 requirements to provide non-emergency medical transportation as defined in this Part
25 and in administrative rules of the department.

1 §1257.4. Rulemaking

2 The department shall promulgate in accordance with the Administrative

3 Procedure Act all such rules as are necessary to implement the provisions of this

4 Part.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____