HLS 23RS-2725

2023 Regular Session

HOUSE RESOLUTION NO. 272

BY REPRESENTATIVE LYONS

HEALTH CARE/PROVIDERS: Requests the Louisiana Department of Health to study and promulgate additional rules for single broker NEMT services relative to compliance and oversight

1	A RESOLUTION
2	To urge and request the Louisiana Department of Health to study and promulgate additional
3	rules for single broker nonemergency medical transportation services relative to
4	compliance and oversight and to report its findings on or before September 8, 2023.
5	WHEREAS, Act No. 638 of the 2022 Regular Session, herein referred to as the Act,
6	defines nonemergency medical transportation (NEMT) services as transportation services
7	provided to a Medicaid beneficiary to or from a medically necessary Medicaid-covered
8	service; and
9	WHEREAS, the provisions of the Act require the Louisiana Medicaid program to
10	include NEMT services and establish that NEMT services shall be provided to a Medicaid
11	beneficiary after all other reasonable means of free transportation for that person have been
12	explored and found to be unavailable; and
13	WHEREAS, the Act also prohibits NEMT services from being utilized for
14	transportation to or from a pharmacy, a nursing facility, hospice care, or Special
15	Supplemental Nutrition Program for Women, Infants, and Children appointments at an office
16	of public health location; and
17	WHEREAS, the current contractor for nonemergency medical transportation in this
18	state is Southeastrans; and
19	WHEREAS, there are five health plans that are responsible for authorizing trips and
20	processing claims for the medical transportation services provided to their members, which

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1	include Aetna Better Health, Amerigroup, AmeriHealth Caritas of Louisiana, Louisiana
2	Healthcare Connections, and United Healthcare Community Plan; and
3	WHEREAS, the Southeastrans organization authorizes NEMT trips for Medicaid
4	recipients who are not enrolled in a health plan, including those persons who regularly
5	participate in Medicaid or fee for service; and
6	WHEREAS, the Medicaid fiscal intermediary will receive and process claims
7	submitted by NEMT providers for these Medicaid recipients; and
8	WHEREAS, each health plan is responsible for establishing its own trip authorization
9	and claims processes and is required to share this information with providers that contracted
10	in that health plan; and
11	WHEREAS, the authorization and claims processes may differ from NEMT
12	processes and reimbursement policies for recipients in traditional Medicaid; and
13	WHEREAS, there is a significant amount of variables involved in the provision of
14	NEMT services, and one sole provider may not be sufficient to handle all of the state's
15	NEMT services; and
16	WHEREAS, it is vital for the Louisiana Department of Health to study and examine
17	its existing rules for single broker nonemergency medical transportation services and
18	promulgate additional rules, if deemed necessary.
19	THEREFORE, BE IT RESOLVED that the House of Representatives of the
20	Legislature of Louisiana does hereby urge and request the Louisiana Department of Health
21	to study and promulgate additional rules for single broker nonemergency medical
22	transportation services relative to compliance and oversight and to report its findings to the
23	House Committee on Health and Welfare on or before September 8, 2023.
24	BE IT FURTHER RESOLVED that the information gathered from the study shall
25	be submitted in the form of a written report and address the following topics:
26	(1) The performance of a single broker system in comparison to the multiple broker
27	systems.
28	(2) The amount of guaranteed trips per vehicle for registered brokers.
29	(3) The amount of dollars paid per day per vehicle registered with the company.

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1	(4) The penalties and oversight provisions for brokers who do not comply with the
2	existing NEMT regulations, if any.
3	(5) The oversight provisions for disputes between brokers and the department.
4	(6) The ability of passengers to select their own means of transportation.
5	(7) The timeliness and method of delivery for cancellation information when drivers
6	are unable to accommodate passengers.
7	(8) The disciplinary provisions for drivers who are unresponsive, if any.
8	(9) The disciplinary provisions for drivers who practice nepotism, if any.
9	(10) The disciplinary provisions for the untimely submission of driver credentials,
10	if any.
11	(11) The disciplinary provisions for drivers who submit paper claims, if any.
12	(12) The continued use of MediRoutes NEMT software and the provider
13	malfunctions associated with such use.
14	(13) The frequency of trip cancellations due to misinformation from the MediRoutes
15	NEMT software.
16	(14) The continual changes in the dates of payment for NEMT services.
17	(15) The prohibition of incentives for after-hour trips and discharges.
18	(16) The current base and per-mile rates for NEMT services.
19	BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to the
20	secretary of the Louisiana Department of Health.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

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Lyons

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Requests that the information gathered from the study be submitted to the House Committee on Health and Welfare in the form of a written report on or before Sept. 8, 2023.