

2023 Regular Session

HOUSE RESOLUTION NO. 272

BY REPRESENTATIVE LYONS

A RESOLUTION

To urge and request the Louisiana Department of Health to study and promulgate additional rules for single broker nonemergency medical transportation services relative to compliance and oversight and to report its findings on or before September 8, 2023.

WHEREAS, Act No. 638 of the 2022 Regular Session, herein referred to as the Act, defines nonemergency medical transportation (NEMT) services as transportation services provided to a Medicaid beneficiary to or from a medically necessary Medicaid-covered service; and

WHEREAS, the provisions of the Act require the Louisiana Medicaid program to include NEMT services and establish that NEMT services shall be provided to a Medicaid beneficiary after all other reasonable means of free transportation for that person have been explored and found to be unavailable; and

WHEREAS, the Act also prohibits NEMT services from being utilized for transportation to or from a pharmacy, a nursing facility, hospice care, or Special Supplemental Nutrition Program for Women, Infants, and Children appointments at an office of public health location; and

WHEREAS, there are five health plans that are responsible for authorizing trips and processing claims for the medical transportation services provided to their members, which include Aetna Better Health, Amerigroup, AmeriHealth Caritas of Louisiana, Louisiana Healthcare Connections, and United Healthcare Community Plan; and

WHEREAS, the broker organization authorizes NEMT trips for Medicaid recipients who are not enrolled in a health plan, including those persons who regularly participate in Medicaid or fee for service; and

WHEREAS, the Medicaid fiscal intermediary will receive and process claims submitted by NEMT providers for these Medicaid recipients; and

WHEREAS, each health plan is responsible for establishing its own trip authorization and claims processes and is required to share this information with providers that contracted in that health plan; and

WHEREAS, the authorization and claims processes may differ from NEMT processes and reimbursement policies for recipients in traditional Medicaid; and

WHEREAS, there is a significant amount of variables involved in the provision of NEMT services, and one sole provider may not be sufficient to handle all of the state's NEMT services; and

WHEREAS, it is vital for the Louisiana Department of Health to study and examine its existing rules for single broker nonemergency medical transportation services and promulgate additional rules, if deemed necessary.

THEREFORE, BE IT RESOLVED that the House of Representatives of the Legislature of Louisiana does hereby urge and request the Louisiana Department of Health to study and promulgate additional rules for single broker nonemergency medical transportation services relative to compliance and oversight and to report its findings to the House Committee on Health and Welfare on or before September 8, 2023.

BE IT FURTHER RESOLVED that the information gathered from the study shall be submitted in the form of a written report and address the following topics:

- (1) The performance of a single broker system in comparison to the multiple broker systems.
- (2) The amount of guaranteed trips per vehicle for registered brokers.
- (3) The amount of dollars paid per day per vehicle registered with the company.
- (4) The penalties and oversight provisions for brokers who do not comply with the existing NEMT regulations, if any.
- (5) The oversight provisions for disputes between brokers and the department.
- (6) The ability of passengers to select their own means of transportation.
- (7) The timeliness and method of delivery for cancellation information when drivers are unable to accommodate passengers.
- (8) The disciplinary provisions for drivers who are unresponsive, if any.
- (9) The disciplinary provisions for drivers who practice nepotism, if any.

(10) The disciplinary provisions for the untimely submission of driver credentials, if any.

(11) The disciplinary provisions for drivers who submit paper claims, if any.

(12) The continued use of MediRoutes NEMT software and the provider malfunctions associated with such use.

(13) The frequency of trip cancellations due to misinformation from the MediRoutes NEMT software.

(14) The continual changes in the dates of payment for NEMT services.

(15) The prohibition of incentives for after-hour trips and discharges.

(16) The current base and per-mile rates for NEMT services.

BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to the secretary of the Louisiana Department of Health.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES