

## HOUSE SUMMARY OF SENATE AMENDMENTS

HB 80

2024 Regular Session

Echols

MEDICAID: Authorizes transportation network companies to provide nonemergency medical transportation services through the state Medicaid program

### Synopsis of Senate Amendments

1. Removes proposed law requirement for a qualified transportation network company or its broker that wants to provide nonemergency medical transportation (NEMT) services to Medicaid enrollees to submit the driver's valid license and registration prior to authorizing the provision of NEMT services.
2. Removes proposed law requirement for rules promulgated by the La. Dept. of Health (LDH) to be consistent with the Medicaid Services Manual.
3. Changes proposed law provision from requiring to authorizing LDH to promulgate rules.
4. Redesignates proposed law provision from R.S. 48:2206 to R.S. 40:1257.5.
5. Provides that if LDH determines that transportation network providers can provide transportation services for Medicaid recipients in a certain manner and in compliance with present law, riders may be connected to drivers by utilizing a Medicaid NEMT broker.
6. Requires present law to apply to the regulation of companies, drivers, and vehicles that are facilitating or providing nonemergency medical transportation services as authorized in proposed law.
7. Prohibits transportation network companies from providing Medicaid NEMT services prior to rules being promulgated by LDH and demonstration of compliance with the requirements of its rules.
8. Removes proposed law requirement for rules to be promulgated by LDH no later than Oct. 1, 2024.
9. Makes technical corrections.

### Digest of Bill as Finally Passed by Senate

Proposed law provides a declaration concerning the suitability of transportation network companies to protect and promote public health by facilitating access to primary care, pharmacy services, and other forms of health care that help people to maintain and improve their health.

Proposed law authorizes transportation network companies to provide NEMT services through the state Medicaid program.

Proposed law further provides that if LDH determines that transportation network providers can provide transportation services for Medicaid recipients in a certain manner and in compliance with present law, riders may be connected to drivers by utilizing a Medicaid NEMT broker.

Proposed law authorizes LDH to promulgate rules and regulations as are necessary for the implementation of proposed law.

Proposed law prohibits transportation network companies from providing Medicaid NEMT services prior to rules being promulgated by LDH and demonstration of compliance with the requirements of its rules.

Proposed law specifies that the requirements for companies and drivers to act as Medicaid transportation providers shall include requirements for enrollment and specifications for vehicles used and requirements that are necessary to conform with applicable federal Medicaid transportation requirements.

With respect to criminal background checks, proposed law prohibits drivers from providing NEMT services to Medicaid enrollees through a transportation network company's digital network prior to the completion of a criminal background check on that driver which comports with either of the following:

- (1) Background check requirements provided in present law relative to nonlicensed persons providing health-related services.
- (2) Background check requirements provided in present law relative to transportation network companies.

Proposed law stipulates that, notwithstanding other provisions of proposed law, LDH shall require that prior to facilitating NEMT services for Medicaid enrollees, a transportation network company shall be under contract with a transportation broker that is under contract with either of the following:

- (1) A Medicaid managed care organization.
- (2) LDH.

Proposed law provides that present law shall apply to the regulation of companies, drivers, and vehicles facilitating or providing nonemergency medical transportation services as authorized in proposed law.

Proposed law provides that nothing within proposed law shall be construed to authorize a company or individual to violate any provision of present law relative to the operation of ambulances.

Proposed law prohibits the use of ambulances, emergency medical response vehicles, and EMS practitioners as defined in present law in providing NEMT services authorized by proposed law.

(Adds R.S. 40:1257.5)