

2024 Regular Session

HOUSE BILL NO. 80

BY REPRESENTATIVE ECHOLS

1 AN ACT

2 To enact R.S. 40:1257.5, relative to transportation network companies; to provide for a
3 legislative declaration; to provide requirements for certain businesses to furnish
4 certain medical transportation services; to authorize transportation network
5 companies to provide nonemergency medical transportation through the state
6 Medicaid program; to establish company and driver requirements; to authorize the
7 promulgation of rules by the Louisiana Department of Health; and to provide for
8 related matters.

9 Be it enacted by the Legislature of Louisiana:

10 Section 1. R.S. 40:1257.5 is hereby enacted to read as follows:

11 §1257.5. Nonemergency medical transportation; transportation network companies

12 A. The legislature hereby declares that transportation network companies are
13 possible providers of services that protect and promote public health by facilitating
14 access to primary care, pharmacy services, and other forms of health care that help
15 people maintain and improve their health.

16 B. If the department determines that transportation network providers can
17 provide transportation services for Medicaid recipients in a safe, effective, and cost
18 efficient manner and in compliance with applicable federal Medicaid and Medicare
19 requirements, any transportation network company that complies with rules

1 promulgated pursuant to this Section may connect a driver to a rider through utilizing
2 a Medicaid NEMT broker for the purpose of providing nonemergency medical
3 transportation services within the state through the Louisiana Medicaid program.

4 C.(1)(a) The department may promulgate rules and regulations as are
5 necessary for the implementation of this Section. No transportation network
6 company may provide Medicaid NEMT services prior to rules being promulgated
7 by the department and demonstrating compliance with requirements established by
8 the department through rules. Requirements imposed for companies and drivers to
9 act as Medicaid transportation providers shall include requirements for enrollment
10 and specifications for the vehicles used and any requirements that may be necessary
11 to conform to applicable federal Medicaid transportation requirements administered
12 by the department, bureau of health services financing.

13 (b) No driver shall provide nonemergency medical transportation services
14 to a Medicaid enrollee through a transportation network company's digital network
15 prior to the completion of a criminal background check on that driver which
16 comports with the requirements for such background checks provided in R.S.
17 40:1203.1 et seq. or R.S. 48:2199.

18 (2) Notwithstanding the provisions of Paragraph (1) of this Subsection, the
19 department shall require that, prior to facilitating nonemergency medical
20 transportation services for Medicaid enrollees, a transportation network company be
21 under contract with a transportation broker that is under contract with either of the
22 following:

23 (a) A Medicaid managed care organization as defined in R.S. 46:460.51.

24 (b) The department.

25 D. The provisions of R.S. 48:2205 shall apply to the regulation of
26 companies, drivers, and vehicles facilitating or providing nonemergency medical
27 transportation services as authorized in this Section.

28 E. Nothing in this Section shall be construed to authorize a company or an
29 individual to violate any provision of R.S. 40:1135.1.

1 F. No ambulance, emergency medical response vehicle, or EMS practitioner
2 as defined in R.S. 40:1131 shall be used for the purpose of providing nonemergency
3 medical transportation services pursuant to this Section.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____