

---

## 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)]

---

HB 331 Engrossed

2020 Regular Session

Bagley

**Abstract:** Authorizes transportation network companies to provide nonemergency medical transportation services through the state Medicaid program, Medicare plans, and all other types of publicly or privately issued health insurance.

Proposed law authorizes transportation network companies to provide nonemergency medical transportation (NEMT) services through the La. Medicaid program, Medicare plans, Medicare supplemental plans, Medicare Advantage plans, and all other types of publicly or privately issued insurance classified by the provisions of present law as health and accident insurance.

Proposed law prohibits the La. Department of Health (LDH) from requiring a driver affiliated with a transportation network company to enroll as a NEMT provider in the La. Medicaid program in order for any NEMT services provided to Medicaid enrollees by the driver through a company's digital network to be eligible for Medicaid reimbursement.

Proposed law requires LDH to promulgate rules and regulations as are necessary for the implementation of proposed law by Oct. 1, 2020.

Proposed law specifies that the requirements for companies and drivers to act as Medicaid transportation providers, including requirements for enrollment and specifications for vehicles used, may not exceed the requirements imposed under present law, except as necessary to conform with applicable federal Medicaid transportation requirements.

Proposed law stipulates that, notwithstanding other provisions of proposed law, LDH may 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 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. 48:2206)

## Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Health and Welfare to the original bill:

1. Revise proposed law to authorize transportation network companies to provide nonemergency medical transportation (NEMT) services through Medicare plans, Medicare supplemental plans, Medicare Advantage plans, and all other types of health and accident insurance in addition to providing such services through the state Medicaid program.
2. Delete proposed law which would have required a transportation network company to meet all of the following conditions and requirements in order to provide NEMT services through the state Medicaid program:
  - (a) The company has complied with the requirements set forth in present law relative to transportation network companies.
  - (b) All drivers and prospective drivers have been screened pursuant to the procedures set forth in present law relative to transportation network company driver requirements.
  - (c) The company is under contract with one of the following:
    - (i) A Medicaid managed care organization.
    - (ii) A transportation broker that is under contract with a Medicaid managed care organization.
    - (iii) A transportation broker that is under contract with the La. Department of Health (LDH).
3. Prohibit LDH from requiring a driver affiliated with a transportation network company to enroll as a NEMT provider in the La. Medicaid program in order for any NEMT services provided to Medicaid enrollees by the driver through a company's digital network to be eligible for Medicaid reimbursement.
4. Revise proposed law stipulating, in part, that requirements imposed for companies and drivers to act as Medicaid transportation providers may not exceed those imposed by present law relative to transportation network companies to stipulate also that such requirements may not exceed those imposed by other provisions of present law known as The Transportation Network Company Motor Vehicle Responsibility Law.
5. Revise proposed law to specify that the provisions of present law relative to transportation network companies shall extend to the regulation of companies, drivers,

and vehicles facilitating or providing NEMT services as authorized in proposed law.

6. Stipulate that, notwithstanding other provisions of proposed law, LDH may 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:
  - (a) A Medicaid managed care organization.
  - (b) LDH.
7. Prohibit the use of ambulances, emergency medical response vehicles, and EMS practitioners as defined in present law in providing NEMT services authorized by proposed law.
8. Make technical changes.