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## DIGEST

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HB 838 Reengrossed

2020 Regular Session

Lyons

**Abstract:** Provides for regulations and requirements concerning non-ambulance, nonemergency medical transportation services delivered through the Medicaid managed care program.

Proposed law applies to non-ambulance, nonemergency medical transportation (NEMT) providers and services.

Proposed law provides that in any contract between the La. Department of Health (LDH) and a Medicaid managed care organization (MCO) that has an effective date of Jan. 1, 2022, or after, LDH shall require any MCO which utilizes a transportation broker to have a La.-based call center. Stipulates that funding for the La.-based call center shall not exceed the amount for call center services in the immediately preceding contract period.

Proposed law requires that, in order to ensure fair competition among NEMT providers on a regional basis, LDH, through its contracts with MCOs, shall prohibit an out-of-region NEMT provider from providing services to a Medicaid enrollee if there is a willing and available NEMT provider in the region where the enrollee is domiciled. Requires LDH to provide in rule for the boundaries of the regions which apply to proposed law and for penalties for violation of the out-of-region service prohibition provided in proposed law.

Proposed law authorizes LDH to partner or otherwise enter into a formal relationship with an association to accomplish the following:

- (1) Promote uniformity in the non-ambulance NEMT industry.
- (2) Set standards that elevate quality and promote trusted service.
- (3) Provide opportunities for training and business counseling.
- (4) Maintain a vetted, updated list of active non-ambulance NEMT providers.
- (5) Develop a platform for all who work within the non-ambulance NEMT industry or utilize NEMT services to receive the latest news and trends affecting the industry.

(Adds R.S. 46:460.101-460.103)

## Summary of Amendments Adopted by House

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

1. Delete proposed law which would have required that the annual Medicaid managed care transparency report issued by the La. Department of Health (LDH) address payments to nonemergency medical transportation (NEMT) providers and transportation brokers and third-party administrators in the Medicaid NEMT program.
2. Specify that proposed law applies to non-ambulance NEMT providers.
3. Delete proposed law which would have mandated that LDH require by contract that if a Medicaid managed care organization (MCO) hires or subcontracts with any transportation broker or third-party administrator for the administration of any aspect of its NEMT program, then that broker or administrator shall have its call center located in La.
4. Delete proposed law which would have mandated that each MCO which hires or subcontracts with any transportation broker or third-party administrator for the administration of any aspect of its NEMT program shall require that the broker or administrator have minority business partnerships with its call center.
5. Delete proposed law which would have mandated that LDH require by contract that MCOs and their subcontractors report to the department the reimbursement rates and total payments made to individual providers of NEMT services.
6. Stipulate that in any LDH contract with an MCO that has an effective date of Jan. 1, 2022, or after, the department shall require any MCO which utilizes a transportation broker to have a La.-based call center.
7. Delete proposed law which would have required LDH to limit NEMT services rendered by an individual provider to a specific region of the state and to provide in MCO contracts for penalties for failure to enforce this limitation.
8. Require LDH, through its contracts with MCOs, to prohibit an out-of-region, non-ambulance NEMT provider from providing services to a Medicaid enrollee if there is a willing and available non-ambulance NEMT provider in the region where the enrollee is domiciled; and to provide in rule for the boundaries of the regions which apply to this provision and for penalties for violation of the out-of-region service prohibition.
9. Authorize LDH to partner or otherwise enter into a formal relationship with an association to accomplish the following:

- (a) Promote uniformity to the non-ambulance NEMT industry.
  - (b) Set standards that elevate quality and trusted service.
  - (c) Provide opportunities for training and business counseling.
  - (d) Maintain a vetted, updated list of active non-ambulance NEMT providers.
  - (e) Develop a platform for all that work within the non-ambulance NEMT industry or utilize NEMT services to receive the latest news and trends affecting the industry.
10. Make technical changes.

The House Floor Amendments to the engrossed bill:

1. Stipulate that funding for the La.-based call center in the contract provided for in proposed law shall not exceed the amount for call center services in the immediately preceding contract period.
2. Make technical and corrective changes.