

2022 Regular Session

HOUSE BILL NO. 1012

BY REPRESENTATIVE LYONS

MEDICAID: Provides relative to nonemergency medical transportation services within the La. Medicaid program

1 AN ACT

2 To enact Part VI of Chapter 5-E of Title 40 of the Louisiana Revised Statutes of 1950, to be
3 comprised of R.S. 40:1257.1 through 1257.4, relative to the medical assistance
4 program of this state known commonly as Medicaid; to provide relative to Medicaid-
5 funded nonemergency medical transportation services; to provide for duties of the
6 Louisiana Department of Health with respect to such services; to provide for
7 standards for such services; to require promulgation of administrative rules; and to
8 provide for related matters.

9 Be it enacted by the Legislature of Louisiana:

10 Section 1. Part VI of Chapter 5-E of Title 40 of the Louisiana Revised Statutes of
11 1950, comprised of R.S. 40:1257.1 through 1257.4, is hereby enacted to read as follows:

12 PART VI. NONEMERGENCY MEDICAL TRANSPORTATION

13 §1257.1. Definitions

14 As used in this Part, the following terms have the meaning ascribed in this

15 Section:

16 (1) "Department" means the Louisiana Department of Health.

17 (2) "Healthcare provider" means a person, partnership, limited liability
18 partnership, limited liability company, corporation, facility, or institution that
19 provides healthcare or professional services to individuals enrolled in the Medicaid
20 program.

1 (3) "Medicaid" means the medical assistance program provided for in Title
2 XIX of the Social Security Act.

3 (4) "Nonemergency medical transportation" and "NEMT" mean
4 transportation for a Medicaid enrollee which facilitates the enrollee going to or from
5 a medical facility or provider including but not limited to a doctor's office, hospital,
6 medical clinic, dental office, urgent care, dialysis, physical therapy, mental health
7 facility, vision center, and a hearing and speech facility.

8 §1257.2. Nonemergency medical transportation services

9 A. The Medicaid program of this state shall include nonemergency medical
10 transportation services, referred to hereafter in this Part as "NEMT services". The
11 purpose of NEMT services shall be to provide nonemergency medical transportation
12 to a Medicaid beneficiary after all other reasonable means of free transportation for
13 that person have been explored and found to be unavailable.

14 B. The department shall ensure that nonemergency medical transportation
15 to and from medically necessary Medicaid-covered services is provided to Medicaid
16 beneficiaries who are eligible for such transportation.

17 C. The department shall ensure that NEMT services are available to a
18 Medicaid beneficiary when all of the following conditions are met:

19 (1) The beneficiary is enrolled in a Medicaid benefit program that explicitly
20 includes transportation services.

21 (2) The beneficiary or his representative has stated that he has no other
22 means of transportation.

23 §1257.3. Standards for services; prohibition

24 No healthcare provider shall contract with or hire a transportation company
25 to provide NEMT services if that company does not meet local, city, and state
26 requirements to provide nonemergency medical transportation as defined in this Part
27 and in administrative rules of the department.

1 §1257.4. Rulemaking
 2 The department shall promulgate in accordance with the Administrative
 3 Procedure Act all such rules as are necessary to implement the provisions of this
 4 Part.

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 1012 Original

2022 Regular Session

Lyons

Abstract: Defines "nonemergency medical transportation" and provides for standards and limitations relating to such transportation provided to Medicaid program enrollees.

Proposed law provides that, for purposes of proposed law, "nonemergency medical transportation" and "NEMT" mean transportation for a Medicaid enrollee which facilitates the enrollee going to or from a medical facility or provider including but not limited to a doctor's office, hospital, medical clinic, dental office, urgent care, dialysis, physical therapy, mental health facility, vision center, and a hearing and speech facility.

Proposed law requires that the La. Medicaid program include NEMT services. Establishes that the purpose of NEMT services shall be to provide nonemergency medical transportation to a Medicaid beneficiary after all other reasonable means of free transportation for that person have been explored and found to be unavailable.

Proposed law requires the La. Department of Health (LDH) to ensure that nonemergency medical transportation to and from medically necessary Medicaid-covered services is provided to Medicaid beneficiaries who are eligible for such transportation. Further requires LDH to ensure that NEMT services are available to a Medicaid beneficiary when all of the following conditions are met:

- (1) The beneficiary is enrolled in a Medicaid benefit program that explicitly includes transportation services.
- (2) The beneficiary or his representative has stated that he has no other means of transportation.

Proposed law prohibits healthcare providers within the La. Medicaid program from contracting with or hiring a transportation company to provide NEMT services if that company does not meet local, city, and state requirements to provide nonemergency medical transportation as defined in proposed law and in LDH administrative rules.

(Adds R.S. 40:1257.1-1257.4)