

# **NEMT Transportation**

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**Office of Health Services**  
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**Transportation Grant Year 2018**

# Contact Information

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# Objectives

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At the end of this presentation attendees will be able to explain:

- What is NEMT?
- How is NEMT funded and regulated?
- What are the Federal and State codifications for NEMT?
- Who is qualified for NEMT? Who isn't?
- How does the program work?
- How is a participant referred?



# Why Are We Here

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- Have there been changes?
  - Policy
  - Practice
  - Procedure
- CMS Audit
  - Giving Away Rides
  - Funding at Risk
  - Dictated Changes
  - Increased Oversight

# COMPLIANCE



MARYLAND  
Department of Health



# What is NEMT?

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- NEMT is the transportation of last resort.
  - Medicaid Participants
  - Medicaid Providers
  - Covered Medicaid Service
  - No Other Transportation
  - Least Expensive Medically Appropriate Mode
- Shared Ride Program
  - Ambulatory/Sedan
  - ADA Accessible Para Transit
  - Non Emergency
- Inter-facility Transport



# NEMT Funding

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- The Non Emergency Medicaid Transportation Program is funded by 50/50 Federal to State matching.
- State oversight to the 23 Maryland Counties and Baltimore City
  - Grantees
  - LHD and Montgomery County Department of Transportation



# How is NEMT Regulated?

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- Title XIX Social Security Act §1902
- 42 CFR
- COMAR 10.09.19
- State Plan
- Transmittals
- CMS Oversight
  - CMS Toolkit for NEMT



# NEMT Sources

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- 42 CFR 431.53

## **§ 431.53 Assurance of transportation.**

A State plan must— (a) Specify that the Medicaid agency will ensure necessary transportation for participants to and from providers; and (b) Describe the methods that the agency will use to meet this requirement. [74 FR 31195, June 30, 2009]

- 42 CFR 440.170

## **§ 440.170(a)(4) Non-emergency medical transportation brokerage program.**

- NEMT is for medical assistance eligible individuals
- Modes: w/c van, taxi, bus passes/tokens, paratransit
- Providers must be selected through a competitive bidding process 45 CFR 92.36(b)-(i) and evaluated by the State.





# COMAR 10.09.19

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## **.01 Scope.**

These regulations govern the administration of grants to counties, municipal corporations, and nonprofit organizations for the provision of safety-net transportation services to Medical Assistance Program recipients. The grant funds are to be used by grantees to:

- A. Screen requests for transportation by recipients;
- B. Arrange for transportation;
- C. Expand existing and develop new transportation resources; and
- D. Provide transportation services where no other transportation is available to the recipient.

<http://www.dsd.state.md.us/comar/comarhtml/10/10.09.19.05.htm>



# Transportation of Last Resort

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- COMAR 10.09.19.01
  - D. Provide transportation services where no other transportation is available to the recipient.
- CMS NEMT Booklet for Providers
  - “... Not having a valid driver’s license; Not having a working vehicle available in the household; Being unable to travel or wait for services alone; or Having a physical, cognitive, mental, or developmental limitation.[5]”



# Transportation of Last Resort

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- What does that mean?
- How do we know?
- What about:
  - Cars
  - Buses
    - ADA/Paratransit
  - Family
  - Friends
  - Community Organizations



# Who is Qualified and Who Isn't

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- Transmittal No. 10      PT 19-13
- Participants in Maryland Medicaid who are NOT
  - X02
  - QMB- Qualified Medicare Beneficiary
  - SLMB- Specified Low Income Medicare Beneficiaries



# Medical Assistance Transportation How it Works

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- MA Transportation is a shared ride service that provides ambulatory, wheelchair and ambulance services. Inter-facility helicopter transports and fixed wing air ambulance is covered if medically necessary.
- MA Transportation is the provider of last resort for transportation services. If available, public transit, paratransit or a family personal auto must be utilized. If a participant is physically able to walk to their service, they must do so.
- Local jurisdictions' are responsible to screen participants to ensure that they have no other transportation resource to medical services and that the proper mode of transportation is selected.



# How NEMT Works - Continued

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- While the program covers all modes of transport (ambulance, wheelchair van, sedan, aircraft etc.), it is a scheduled, shared ride program for transportation during normal business hours
- Advance notice is required for scheduling purposes, but the regulation requires a minimum of 24 hours advance notice
- Certain allowances are made whenever possible for special needs such as dialysis transports, oncology transports, aero medical evacuation and hospital discharges



# Transportation Grant Limitations

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COMAR 10.09.19

- Emergency transportation services
- Medicare ambulance services
- Transportation to or from VA Hospitals, unless it is to receive treatment for a non-military related condition
- Transportation to and from correctional institutions
- Transportation of participants committed by the courts to mental institutions
- Ambulance transport of an otherwise ambulatory or wheelchair participant for convenience of the receiving provider.



# Transportation Grant Limitations

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- Transportation between a nursing facility & a hospital, for routine diagnostic tests, nursing services or physical therapy which can be performed at the nursing facility
- Transportation services from a facility for treatment when the treatment is provided by the facility in which the participant is located
- Transportation to receive non-medical services
- Gratuities of any kind





# Transportation Grant Limitations

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- Transportation between an adult medical day care facility and the participant's home
- Transportation to or from a state facility while the patient is a resident of that facility
- Transportation of non-medical assistance participants
- Trips for purposes related to education, recreational activities or employment



# Transportation Grant Limitations

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- Transportation of anyone other than the participant, except for an attendant accompanying a minor or when an attendant is medically necessary
- Wheelchair van service for ambulatory participants
- Ambulance service for a person who doesn't need to be transported in a supine position



# Transportation Grant Limitations

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- Transportation between a community rehab program (CRP) and the participant's home.
- Transportation between a day habilitation program and the participant's home
- Transportation to or from services that are not medically necessary



# Participant Screening:

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- Does participant or family member own a vehicle?
- Availability of vehicles owned by friends or relatives not in household
- Any voluntary transport services by private citizens, public or private agencies
- Availability of free transport services by other city, county or state agencies
- How participant accesses non-medical services, such as grocery store
- Can participant walk to medical service?
- Public transportation available between home & medical service
- Is participant mentally or physically disabled?
- Is medical service required on frequent or ongoing basis (chronic illness)?
- Can appt. be rescheduled?

# Detailed Analysis – MCO v. Fee For Service

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- MCO – Health Choice
  - Transport to the Provider of Choice
    - MCO required to provide reasonable network of care for PCP, OB/GYN, Pharmacy, Lab and Radiology Services
  - No Out-of-Area Form needed
- Fee-for-Service
  - Closest Appropriate Provider
  - Beacon Health
    - Authorization Number Needed
  - Non-MCO Participants



## Appropriate Provider:

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- Is a participant in the Maryland Medical Assistance Program
- Has the training and skills necessary to provide the services required by the beneficiary. “Training and skills” includes, but is not limited to, applicable licensure and certification
- Is willing to accept the participant as a patient



# Determining Mode of Transportation

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## Provider Certification Form

- Clinical Indications
  - Diagnosis
  - Signs, Symptoms
- Need for Accompaniment
  - Minor
  - Confusion
  - Physical, Developmental, or Psychiatric Disability
- Financial considerations are NOT a qualification
- Being a minor is not a qualification
- Convenience is not a qualification



# Determining Mode of Transportation- Continued

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- Ambulatory
  - How far can they walk?
  - What Assistive Devices do they use?
  - Can they take public transportation?
- Wheelchair
  - Application to Paratransit
  - Developmental/Physical/Cognitive Delay
  - Need for Attendant





# Provider Certification Form

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- A Provider Certification Form:  
Ambulatory/Wheelchair or Ambulance must be completed for each participant in order to:
  - Ascertain the correct mode of transport
  - Ensure that the service is a Medical Assistance covered service
  - Must be recertified for a change in condition and annually



# Obtaining Hospital Discharge & Ambulance Transport

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- The facility should contact the local jurisdiction (where the hospital is located) MA Transportation grantee during normal business hours.
- After hour requests should contact the telephone number for the jurisdiction.
- Requests will be checked for MA eligibility and a Provider Certification Form will be required for ambulance transport.
- Ambulatory after hours transport may not be available in all areas due to a shortage of providers.



# When Contacting MDH With an Issue

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- Participant Name
- MA Number
- Name of Caller
- Appointment Time & Date
- Pick-Up Address
- Type of Appointment
- Address of Appointment
- Nature of problem or issue

# Complaints

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- Refer to local jurisdiction
- Never contact the vendor directly
- Escalate to the State Transportation Unit



# CMS Toolkit for NEMT

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- Non-Emergency Medical Transportation (NEMT) is an important benefit for beneficiaries who need to get to and from medical services, but have no means of transportation. The Code of Federal Regulations requires States to ensure eligible, qualified Medicaid beneficiaries have NEMT to take them to and from providers.

<https://www.cms.gov/Medicare-Medicaid-Coordination/Fraud-Prevention/Medicaid-Integrity-Education/nemt.html>



# Eligibility

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- COMAR
- EVS
- Residency
- Transportation of Last Resort
- Paratransit
- Determine Qualification
- PCF based Mode of Transportation

\*\*\* One time, Non Renewable 30 Day Courtesy  
Transportation During Consideration of Eligibility \*\*\*  
On Occasion



# Denial of Eligibility

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- Written Notification
- Application for Services is Denied
  - Specify Reason
  - Right to Request Reconsideration of Additional Information
- Appeal Rights/Fair Hearing COMAR Citation
- Right to Reapply



# Administrative Flexibility or Creativity?

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- State Medicaid Programs must assure participant's access to and from covered services.
- There isn't any flexibility to provide transportation services outside of the federal guidelines.
- A NEMT Program may, however, expand existing and develop new and reasonable transportation resources.
  - Supply bus passes and tokens for distribution; or
  - Purchase vouchers for sedan or taxi rides.





# Frequently Asked Questions

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- Can a participant's child be transported to their appointment?
  - If the transport occurs on a vehicle funded with NEMT funds and the child does not have an appointment, the transport will not be authorized for the child.
- Can a minor participant be transported without a parent or guardian?
  - A minor cannot be transported without a parent or guardian, except in the case of an emancipated minor
- Will the Program furnish an attendant if necessary?
  - Outside of authorizing the transportation expense for an attendant, the Program will not furnish an attendant



# Frequently Asked Questions

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- Can an participant with a vehicle be qualified for NEMT?
  - Participants maintaining the insurance, registration and fuel costs for a registered vehicle are expected to furnish transportation to their health care appointments.
  - Screening will include asking the participant if a friend or family member is available to drive the vehicle for them.
  - Exceptions:
    - Clinical documentation to exempt a participant from driving for a period of time;
    - Documentation is presented that the vehicle is in need of repair. The Program will temporarily approve transportation services for 3 months.



# Conclusion

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Attendees now have the base knowledge to explain the following:

- ✓ What is NEMT?
- ✓ How is NEMT funded and regulated?
- ✓ What are the Federal and State codifications for NEMT?
- ✓ Who is qualified for NEMT?
- ✓ How does the program work?
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**COMPLETE**

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# Questions

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