

By Senator Brandes

24-00630-19

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1 A bill to be entitled
2 An act relating to nonemergency medical transportation
3 services; amending s. 316.87, F.S.; authorizing
4 Medicaid nonemergency transportation services to be
5 provided to a Medicaid recipient by certain
6 transportation network companies or transportation
7 brokers, subject to compliance with certain
8 requirements; requiring the Agency for Health Care
9 Administration to update the Non-Emergency
10 Transportation Services Coverage Policy by a specified
11 date; providing that the requirements for
12 transportation network companies and transportation
13 network company drivers may not exceed specified
14 requirements, except as necessary to conform to
15 federal Medicaid transportation requirements
16 administered by the agency; providing for
17 construction; providing an effective date.

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19 Be It Enacted by the Legislature of the State of Florida:

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21 Section 1. Section 316.87, Florida Statutes, is amended to
22 read:

23 316.87 Nonemergency medical transportation services.—

24 (1) To ensure the availability of nonemergency medical
25 transportation services throughout the state, a provider
26 licensed by the county or operating under a permit issued by the
27 county may not be required to use a vehicle that is larger than
28 needed to transport the number of persons being transported or
29 that is inconsistent with the medical condition of the

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30 individuals receiving the nonemergency medical transportation
31 services. This subsection ~~section~~ does not apply to the
32 procurement, contracting, or provision of paratransit
33 transportation services, directly or indirectly, by a county or
34 an authority, pursuant to the Americans with Disabilities Act of
35 1990, as amended.

36 (2) (a) Subject to compliance with state and federal
37 Medicaid requirements, a transportation network company under
38 contract with a Medicaid managed care plan, a transportation
39 broker under contract with a Medicaid managed care plan, or a
40 transportation broker under direct contract with the Agency for
41 Health Care Administration may provide Medicaid nonemergency
42 transportation services to a Medicaid recipient. The Agency for
43 Health Care Administration shall update the Non-Emergency
44 Transportation Services Coverage Policy to reflect this
45 authorization by October 1, 2019. Requirements for
46 transportation network companies and transportation network
47 company drivers may not exceed those imposed under s. 627.748,
48 except as necessary to conform to federal Medicaid
49 transportation requirements administered by the Agency for
50 Health Care Administration.

51 (b) This subsection may not be construed to expand or limit
52 the existing transportation benefit provided to Medicaid
53 recipients or to require a Medicaid managed care plan to
54 contract with a transportation network company or a
55 transportation broker.

56 Section 2. This act shall take effect July 1, 2019.