

By the Committee on Health Policy; and Senator Brandes

588-02478-19

2019302c1

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 certain regulations,  
10      policies, or other guidance by a specified date;  
11      providing that the requirements for transportation  
12      network companies and transportation network company  
13      drivers may not exceed specified requirements, except  
14      as necessary to conform to federal Medicaid  
15      transportation requirements administered by the  
16      agency; providing construction; amending s. 401.25,  
17      F.S.; authorizing a licensed basic life support or  
18      licensed advanced life support ambulance service to  
19      provide nonemergency Medicaid transportation in  
20      permitted ambulances in any county at the request of a  
21      certain eligible plan; providing an effective date.

22  
23 Be It Enacted by the Legislature of the State of Florida:

24  
25       Section 1. Section 316.87, Florida Statutes, is amended to  
26       read:

27       316.87 Nonemergency medical transportation services.—  
28       (1) To ensure the availability of nonemergency medical  
29       transportation services throughout the state, a provider

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30 licensed by the county or operating under a permit issued by the  
31 county may not be required to use a vehicle that is larger than  
32 needed to transport the number of persons being transported or  
33 that is inconsistent with the medical condition of the  
34 individuals receiving the nonemergency medical transportation  
35 services. This subsection ~~section~~ does not apply to the  
36 procurement, contracting, or provision of paratransit  
37 transportation services, directly or indirectly, by a county or  
38 an authority, pursuant to the Americans with Disabilities Act of  
39 1990, as amended.

40 (2) (a) Subject to compliance with any applicable state and  
41 federal Medicaid requirements, a transportation network company  
42 under contract with a Medicaid managed care plan, a  
43 transportation broker under contract with a Medicaid managed  
44 care plan, a transportation broker under direct contract with  
45 the Agency for Health Care Administration, or a transportation  
46 network company that receives referrals from a transportation  
47 broker contracting with Medicaid managed care plans or the  
48 Agency for Health Care Administration may provide Medicaid  
49 nonemergency transportation services to a Medicaid recipient.  
50 The Agency for Health Care Administration shall update any  
51 regulations, policies, or other guidance, including the Non-  
52 Emergency Transportation Services Coverage Policy, as necessary  
53 to reflect this authorization by October 1, 2019. Requirements  
54 for transportation network companies and transportation network  
55 company drivers may not exceed those imposed under s. 627.748,  
56 except as necessary to conform to federal Medicaid  
57 transportation requirements administered by the Agency for  
58 Health Care Administration.

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59       (b) This subsection may not be construed to expand or limit  
60 the existing transportation benefit provided to Medicaid  
61 recipients or to require a Medicaid managed care plan to  
62 contract with a transportation network company or a  
63 transportation broker.

64       Section 2. Subsection (8) is added to section 401.25,  
65 Florida Statutes, to read:

66       401.25 Licensure as a basic life support or an advanced  
67 life support service.—

68       (8) At the request of an eligible plan as defined in s.  
69 409.962 which administers the nonemergency Medicaid  
70 transportation benefit, the plan's subcontracted transportation  
71 broker, or a transportation broker that administers the  
72 nonemergency Medicaid transportation benefit for the Agency for  
73 Health Care Administration, a licensed basic life support or  
74 licensed advanced life support ambulance service may provide  
75 nonemergency Medicaid transportation in permitted ambulances in  
76 any county without obtaining a certificate of public convenience  
77 and necessity as required in paragraph (2) (d).

78       Section 3. This act shall take effect July 1, 2019.