



319712

LEGISLATIVE ACTION

Senate	.	House
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Floor: 1/AD/2R	.	Floor: C
04/29/2019 11:00 AM	.	05/01/2019 04:26 PM
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Senator Brandes moved the following:

**Senate Amendment (with title amendment)**

Delete everything after the enacting clause  
and insert:

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

316.87 Nonemergency medical transportation services.—

(1) To ensure the availability of nonemergency medical  
transportation services throughout the state, a provider  
licensed by the county or operating under a permit issued by the  
county may not be required to use a vehicle that is larger than



319712

12 needed to transport the number of persons being transported or  
13 that is inconsistent with the medical condition of the  
14 individuals receiving the nonemergency medical transportation  
15 services. This subsection ~~section~~ does not apply to the  
16 procurement, contracting, or provision of paratransit  
17 transportation services, directly or indirectly, by a county or  
18 an authority, pursuant to the Americans with Disabilities Act of  
19 1990, as amended.

20 (2) Subject to compliance with state and federal Medicaid  
21 requirements, a transportation network company that:

22 (a) Is under contract with a Medicaid managed care plan;

23 (b) Is under contract with a transportation broker under  
24 contract with a Medicaid managed care plan;

25 (c) Is under contract with a transportation broker under  
26 contract with the Agency for Health Care Administration; or

27 (d) Receives referrals from a transportation broker under  
28 contract with a Medicaid managed care plan or the Agency for  
29 Health Care Administration,

30  
31 may provide nonemergency medical transportation services under  
32 ss. 409.905 and 409.973 to a Medicaid recipient if all drivers  
33 and prospective drivers are screened pursuant to the procedures  
34 set forth in s. 435.03 or functionally equivalent procedures, as  
35 determined by the Agency for Health Care Administration. By  
36 October 1, 2019, the Agency for Health Care Administration shall  
37 update its regulations, policies, or other guidance, including  
38 its Medicaid Non-Emergency Transportation Services Coverage  
39 Policy, as necessary, to reflect this authorization.

40 Requirements for transportation network companies and



319712

41 transportation network company drivers may not exceed those  
42 imposed under s. 627.748, except as necessary to conform to  
43 other applicable state and federal Medicaid transportation  
44 requirements administered by the Agency for Health Care  
45 Administration.

46 (3) Subsection (2) may not be construed to:

47 (a) Expand or limit the transportation benefits provided to  
48 Medicaid recipients or to require a Medicaid managed care plan  
49 to contract with a transportation network company or  
50 transportation broker.

51 (b) Exempt any person, firm, corporation, association, or  
52 governmental entity that engages in the business or service of  
53 providing advanced life support or basic life support  
54 transportation services from the licensure requirements provided  
55 in s. 401.25.

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

57  
58 ===== T I T L E A M E N D M E N T =====

59 And the title is amended as follows:

60 Delete everything before the enacting clause  
61 and insert:

62 A bill to be entitled  
63 An act relating to nonemergency medical transportation  
64 services; amending s. 316.87, F.S.; authorizing  
65 certain transportation network companies to provide  
66 nonemergency medical transportation services to a  
67 Medicaid recipient under certain circumstances;  
68 requiring the Agency for Health Care Administration to  
69 update its regulations, policies, or other guidance by



319712

70 a specified date to reflect such authorization;  
71 providing limitations on requirements for  
72 transportation network companies and transportation  
73 network company drivers; providing construction;  
74 providing an effective date.