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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-SIXTH
SESSION

HOUSE FILE No. 1107

February 26, 2009

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The bill was read for the first time and referred to the Committee on Health Care and Human Services Policy and Oversight

1.1 A bill for an act
1.2 relating to human services; requiring use of broker or coordinator for special
1.3 transportation services and access transportation services on a statewide basis;
1.4 modifying criteria for special transportation services; amending Minnesota
1.5 Statutes 2008, sections 256B.04, subdivision 14; 256B.0625, subdivision 17.

1.6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.7 Section 1. Minnesota Statutes 2008, section 256B.04, subdivision 14, is amended to
1.8 read:

1.9 Subd. 14. **Competitive bidding.** (a) When determined to be effective, economical,
1.10 and feasible, the commissioner may utilize volume purchase through competitive bidding
1.11 and negotiation under the provisions of chapter 16C, to provide items under the medical
1.12 assistance program including but not limited to the following:

1.13 (1) eyeglasses;

1.14 (2) oxygen. The commissioner shall provide for oxygen needed in an emergency
1.15 situation on a short-term basis, until the vendor can obtain the necessary supply from
1.16 the contract dealer;

1.17 (3) hearing aids and supplies; and

1.18 (4) durable medical equipment, including but not limited to:

1.19 (i) hospital beds;

1.20 (ii) commodes;

1.21 (iii) glide-about chairs;

1.22 (iv) patient lift apparatus;

1.23 (v) wheelchairs and accessories;

1.24 (vi) oxygen administration equipment;

1.25 (vii) respiratory therapy equipment;

2.1 (viii) electronic diagnostic, therapeutic and life-support systems;

2.2 (5) nonemergency medical transportation level of need determinations, disbursement
2.3 of public transportation passes and tokens, and volunteer and recipient mileage and
2.4 parking reimbursements; and

2.5 (6) drugs.

2.6 (b) Rate changes under this chapter and chapters 256D and 256L do not affect
2.7 contract payments under this subdivision unless specifically identified.

2.8 (c) The commissioner may ~~not~~ utilize volume purchase through competitive bidding
2.9 and negotiation for special transportation services under the provisions of chapter 16C.

2.10 Sec. 2. Minnesota Statutes 2008, section 256B.0625, subdivision 17, is amended to
2.11 read:

2.12 Subd. 17. **Transportation costs.** (a) Medical assistance covers transportation costs
2.13 incurred solely for obtaining emergency medical care or transportation costs incurred
2.14 by eligible persons in obtaining emergency or nonemergency medical care when paid
2.15 directly to an ambulance company, common carrier, or other recognized providers of
2.16 transportation services.

2.17 (b) Medical assistance covers special transportation, as defined in Minnesota Rules,
2.18 part 9505.0315, subpart 1, item F, if the recipient has a physical or mental impairment that
2.19 would prohibit the recipient from safely accessing and using a bus, taxi, other commercial
2.20 transportation, or private automobile.

2.21 The commissioner may use an order by the recipient's attending physician to certify that
2.22 the recipient requires special transportation services. ~~Special transportation includes~~
2.23 ~~driver-assisted service to eligible individuals. Driver-assisted service includes passenger~~
2.24 ~~pickup at and return to the individual's residence or place of business, assistance with~~
2.25 ~~admittance of the individual to the medical facility, and assistance in passenger securement~~
2.26 ~~or in securing of wheelchairs or stretchers in the vehicle. Special transportation service is~~
2.27 authorized only for those recipients that require direct driver assistance to enter and exit
2.28 their residence, and assistance to enter and exit the health care facility to and from the
2.29 appointment desk. Special transportation providers must obtain written documentation
2.30 from the health care service provider who is serving the recipient being transported,
2.31 identifying the time that the recipient arrived. Special transportation providers may not
2.32 bill for separate base rates for the continuation of a trip beyond the original destination.
2.33 Special transportation providers must take recipients to the nearest appropriate health
2.34 care provider, using the most direct route available, determined by a commercial global

3.1 positioning system (GPS) approved by the commissioner. The maximum medical
3.2 assistance reimbursement rates for special transportation services are:

3.3 (1) \$17 for the base rate and \$1.35 per mile for services to eligible persons who
3.4 need a wheelchair-accessible van;

3.5 (2) \$11.50 for the base rate and \$1.30 per mile for services to eligible persons who
3.6 do not need a wheelchair-accessible van; and

3.7 (3) \$60 for the base rate and \$2.40 per mile, and an attendant rate of \$9 per trip, for
3.8 services to eligible persons who need a stretcher-accessible vehicle.

3.9 (c) Effective October 1, 2009, the commissioner shall use a broker or coordinator to
3.10 manage special transportation services and access transportation services on a statewide
3.11 basis. For purposes of this requirement, "access transportation services" means the use
3.12 of a bus, taxi, other commercial transportation, or private automobile to allow eligible
3.13 persons to obtain nonemergency medical care.