

**MEDI-CAL BENEFIT UPDATED: NON-MEDICAL TRANSPORTATION
STAKEHOLDER QUESTIONS & ANSWERS
JUNE 9, 2022**

Questions Related to the Bulletin:

1. Is there going to be guidance on how many moving violations/points are excessive?

The driver requirements outlined in the bulletin are the extent of the guidance that we have on that for now. This includes:

- Drivers must not have more than three minor moving violations, such as accidents or traffic light violations, in the past three years;
- Drivers must not have any major moving violations, such as driving on a suspended license, in the past three years; and
- Drivers must not have any severe violations, such as driving under the influence of alcohol or drugs or a hit and run, in the past seven years.

2. What federal law is directing this change and when was it enacted?

Medicaid coverage of certain medical transportation was expanded under the Consolidated Appropriations Act of 2021 (Public Law 116-260) and enacted in Title 42, U.S. Code, Section 1396a(a)(87).

3. What is the legal authority in state law or regulation for transportation network companies (TNCs) to enroll in Medi-Cal?

Welfare & Institutions Code Section 14132(ad)(1) states that non-medical transportation (NMT) is covered for a beneficiary to obtain covered Medi-Cal services. The expansion of NMT coverage to include allowing a TNC to enroll by providing an attestation in lieu of providing individual driver and vehicle information was addressed in the federal requirements in the Consolidated Appropriations Act of 2021 (Public Law 116-260) and enacted in Title 42, U.S. Code, Section 1396a(a)(87).

The NMT legislation gives DHCS the authority to implement the benefit by regulatory provider bulletin, thus the updated provider bulletin is the regulation that allows TNCs to be NMT providers.

4. Will there be any other insurance requirements for the TNC or the individual TNC drivers?

TNC driver's must carry their own personal vehicle insurance policies and also have an umbrella policy under the TNC to be in compliance with Public Utilities

Commission Guidelines established in California Public Utilities Code Section 5433.

5. Are similar attestation requirements being considered for transportation providers in the non-emergency medical transportation (NEMT) and NMT provider types?

Yes, the Department is currently assessing making a similar attestation available to transportation providers that are not TNCs.

6. What steps will be taken to make sure compliance is followed regarding the level of service between NMT and NEMT and that appropriate level of service is provided and that NMT providers are not trying to provide NEMT level of service?

Enrolled NMT providers would only be able to bill for NMT services, they would not be approved for or permitted to bill for NEMT services. As stated in the Medi-Cal Provider Agreement under item 25. Compliance with Billing and Claims Requirements, "Provider agrees that it shall comply with all of the billing claims requirements set forth in the Welfare and Institutions Code and its implementing regulations, and the provider manual." Further, providers not adhering to their provider agreement may undergo an audit where recoveries may be identified and recouped.

7. Will TNC's have to submit business licenses/permits for every area they service Medi-Cal beneficiaries?

Our application requires that transportation providers report all areas that they serve and provide a copy of the business license or permit for any city or county that the provider has been licensed or permitted to provide services. Therefore, if a provider has been issued a city or county permit for areas that they serve then they should provide a copy of it with their application. This would be provided by the TNC not the individual driver.

8. If a TNC has multiple business office locations, will they need to submit applications for each office location?

Medi-Cal enrollment is location specific.

9. Currently transportation providers are required to provide commercial vehicle insurance and commercial vehicle registration, first aid and CPR certification as well as medical examinations for drivers and signage on the vehicles themselves. How will TNC's comply with those regulations?

These are requirements for NEMT providers. If a TNC seeks to be enrolled as an NEMT provider they will need to meet all of these requirements.

General Transportation Questions:

1. Are taxi companies required to enroll as Medi-Cal providers?

If taxi companies want to be reimbursed for services provided to Medi-Cal Fee-for-Service beneficiaries, then they will need to enroll as a Medi-Cal provider through the [PAVE portal](#). If taxi companies are seeking reimbursement from a Medi-Cal Managed Care Plan for services provided to Medi-Cal beneficiaries that are members of a managed care plan, then the taxi company must be enrolled as a Medi-Cal provider and should contact the Medi-Cal Managed Care Plan on how to enroll.

2. Can an individual provider enroll without working for a company? If so, is the application an online application?

The application is online and an individual provider (owner/operator) may qualify. When completing the online application, you will choose the entity type that is appropriate for how you operate your business. A detailed overview of the NMT application process in PAVE can be found [here](#).

3. Are you able to bill for services rendered before being approved as a NMT provider? If so, how far back can you bill?

No, providers cannot bill the Medi-Cal program until their application for enrollment is approved. In general, the effective date of enrollment will be the date the application is submitted provided that the applicant meets all program requirements and submitted all required documentation. Therefore, once an enrollment application is approved the provider can submit claims retroactive to their effective date of enrollment. Please see the provider bulletin titled [Medi-Cal Provider Enrollment Effective Date Determination](#) for further information on how effective dates are determined.

4. Can providers choose what areas they provide services?

Yes. Transportation providers indicate on their PAVE application which areas (cities/counties) they are providing services.

5. What information is being requested in the NMT provider application?

On the Application Information by Provider Type [webpage for NMT providers](#) there is a list of the application information requested in the NMT application. A detailed overview of the NMT application process in PAVE can be found [here](#).