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LEGISLATIVE ACTION

Senate

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House

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Floor: 1/AD/2R

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04/29/2019 11:00 AM

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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



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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



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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



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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.