

1 A bill to be entitled
 2 An act relating to nonemergency medical transportation
 3 services; amending s. 316.87, F.S.; authorizing
 4 certain nonemergency medical transportation services
 5 to be provided to a Medicaid recipient by certain
 6 transportation network companies; requiring the Agency
 7 for Health Care Administration to update the Florida
 8 Medicaid Non-Emergency Transportation Services
 9 Coverage Policy and other regulations by a certain
 10 date; specifying requirements for transportation
 11 network companies and transportation network company
 12 drivers; providing construction; providing an
 13 effective date.

14
 15 Be It Enacted by the Legislature of the State of Florida:

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

19 316.87 Nonemergency medical transportation services.—

20 (1) To ensure the availability of nonemergency medical
 21 transportation services throughout the state, a provider
 22 licensed by the county or operating under a permit issued by the
 23 county may not be required to use a vehicle that is larger than
 24 needed to transport the number of persons being transported or
 25 that is inconsistent with the medical condition of the

26 individuals receiving the nonemergency medical transportation
 27 services. This subsection ~~section~~ does not apply to the
 28 procurement, contracting, or provision of paratransit
 29 transportation services, directly or indirectly, by a county or
 30 an authority, pursuant to the Americans with Disabilities Act of
 31 1990, as amended.

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

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

35 (b) Is under contract with a transportation broker under
 36 contract with a Medicaid managed care plan;

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

39 (d) Receives referrals from a transportation broker under
 40 contract with a Medicaid managed care plan or the Agency for
 41 Health Care Administration

42
 43 may provide nonemergency medical transportation services under
 44 ss. 409.905 and 409.973 to a Medicaid recipient. The Agency for
 45 Health Care Administration shall update any regulations,
 46 policies, or other guidance, including the Florida Medicaid Non-
 47 Emergency Transportation Services Coverage Policy, as necessary,
 48 to reflect this authorization by October 1, 2019. Requirements
 49 for transportation network companies and transportation network
 50 company drivers may not exceed those imposed under s. 627.748,

51 except as necessary to conform to state and federal Medicaid
52 transportation requirements administered by the Agency for
53 Health Care Administration.

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

55 (a) Expand or limit the existing transportation benefit
56 provided to Medicaid recipients or to require a Medicaid managed
57 care plan to contract with a transportation network company or
58 transportation broker.

59 (b) Exempt any person, firm, corporation, association, or
60 governmental entity that engages in the business or service of
61 providing advanced life support services or basic life support
62 transportation services from the licensing requirements in s.
63 401.25.

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