

# Transportation, Non-Emergency (NET) Table of Contents

**John R. Kasich, Governor**

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## Ohio Department of Medicaid

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# Medical Assistance Letters

# MAL 545

## Medical Assistance Letter (MAL) No. 545

May 29, 2008

To: Directors, County Departments of Job and Family Services  
Medical Assistance Coordinators

From: Helen E. Jones-Kelley, Director

Subject: Accessing the Non-Emergency Transportation (NET) Program

This Medical Assistance Letter (MAL) transmits amended rule [5101:3-24-03](#), *Non-emergency transportation (NET): accessing NET*. The purpose for the amendment is twofold:

- (1) To delineate the current relationship between NET and other Medicaid programs and services and
- (2) To clarify the wording of various provisions of the rule.

The Ohio Department of Job and Family Services maintains an "electronic manuals" web page of the department's rules, manuals, letters, forms, and handbooks. The URL for this "eManuals" page is <http://emanuals.odjfs.state.oh.us/emanuals/>. You can view the administrative rules governing the NET program on the "eManuals" web page.

- (1) Select the 'Ohio Health Plans - Provider' folder.
- (2) Select 'Next Page'.
- (3) Select 'Transportation, Non-Emergency (NET)'.
- (4) Select the desired item from the 'Table of Contents' pull-down menu.

The Legal/Policy Central - Calendar site (<http://www.odjfs.state.oh.us/lpc/calendar/>) is a quick reference for finding documents that have recently been published. This site also provides a link to a listing of ODJFS manual transmittal letters (<http://www.odjfs.state.oh.us/lpc/mtl/>). The listing is categorized by letter number and subject, and a link is provided to each easy-print (PDF) document.

You may request a second printed copy of this letter and a copy of rule 5101:3-24-03 by completing the JFS 03400, "Ohio Department of Job and Family Services, Service Provider Update Request Form", and returning it to the Ohio Department of Job and Family Services in accordance with the instructions at the top of the form.

Questions pertaining to this MAL should be addressed to:

Office of Ohio Health Plans  
Bureau of Health Plan Policy  
P.O. Box 182709  
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# **Transportation, Non-Emergency (NET) Rules**

**5160-24-01 Non-Emergency Transportation (NET): General Provisions.**

**\*Formerly\* 5101:3-24-01 Non-Emergency Transportation (NET): General Provisions.**

**Effective Date: January 1, 2006**

- (A) "Non-emergency transportation (NET)" is a statewide program that is administered by the county Department of Job and Family Services (CDJFS) in accordance with Chapter 5101:3-24 of the Administrative Code. NET was formerly the enhanced Medicaid transportation (EMT) program. Any reference to the EMT program now refers to NET. NET is the provision of transport:
- (1) for Medicaid eligible consumers whose:
    - (a) Medicaid eligibility has been determined in accordance with Chapters 5101:1-37 to 5101:1-42 of the Administrative Code.
    - (b) Transportation cannot be provided or arranged through other Medicaid transportation or community resources.
  - (2) To and from Medicaid providers who meet provider participation requirements in accordance with Chapter 5101:3 of the Administrative Code who are providing Medicaid covered service(s). A "Medicaid covered service" is a reimbursable service in accordance with Chapters 5101:3-1 to 5101:3-56 of the Administrative Code excluding Chapters 5101:3-15 and 5101:3-24 of the Administrative Code.
  - (3) That is the most cost-effective mode(s) of transportation that addresses the consumer's medical condition and timeliness concerns.
  - (4) Only to Medicaid covered services that are within the consumer's community as defined in rule 5101:3-24-03 of the Administrative Code, unless the specific service is not available within the community.
- (B) The CDJFS must implement the provisions of Chapter 5101:3-24 of the Administrative Code with all nondiscriminatory requirements in accordance with rule 5101:9-2-01 of the Administrative Code.

Replaces: Part of 5101:3-24-01, 5101:3-24-03, 5101:3-24-04,

5101:3-24-05, 5101:3-24-06

Effective Date: 01/01/2006

R.C. 119.032 review dates: 01/01/2011

Certification

Promulgated Under: 119.03

Statutory Authority: 5111.02

Rule Amplifies: 5111.01, 5111.02

Prior Effective Dates: 5/5/88 (Emer), 8/6/88, 1/1/89, 12/31/90, 8/26/00, 1/1/94

**Effective Date: January 1, 2006**

- (A) Administration of NET is directed by the county Department of Job and Family Services (CDJFS) community transportation plan. The "community transportation plan" is a document developed by each CDJFS that describes the methods by which the CDJFS implements transportation services in accordance with Chapter 5101:3-24 of the Administrative Code to adequately ensure transportation.
- (1) The community transportation plan must be reviewed by the CDJFS and updated at a minimum of once per year or when changes in the NET program occur.
  - (2) The CDJFS employee(s) responsible for administering NET must sign and date the community transportation plan after each review or update and send a copy to the Ohio Department of Job and Family Services (ODJFS) for review.
  - (3) The community transportation plan must include but not be limited to the following information:
    - (a) The contact name(s) of person(s) at the CDJFS who is responsible for administering NET.
    - (b) A description of consumer access to services for NET from the CDJFS and the process the consumer uses to request transportation.
    - (c) The CDJFS definition of community and the process for approving transportation out of community.
    - (d) A list of organizations the CDJFS uses to coordinate transportation resources.
    - (e) The mode(s) of transportation the CDJFS determines to be its primary, or most often utilized mode of transportation.
    - (f) The mode(s) of transportation the CDJFS utilizes as secondary modes of transportation.
    - (g) The CDJFS policy regarding the selection of the transportation that is the most cost-effective mode of transportation that addresses the consumer's medical condition and timeliness concerns.
    - (h) The identity of each contract vendor's name, address, phone number, length of the contract, parameters of the contract, and cost of the contract.
    - (i) The implementation of policies and procedures to address the misuse of services by consumers through NET.
    - (j) The implementation of policies and procedures to address quality control issues with vendors.
    - (k) The implementation of referrals by the CDJFS for consumers that can access transportation through other Medicaid programs other than NET.
    - (l) The CDJFS process to identify and implement the use of attendants for those consumers that cannot be safely transported independently during a Medicaid covered service.
    - (m) The CDJFS will inform consumers of the NET program and the guidelines for service use per the community transportation plan and this chapter.
- (B) The CDJFS may have the following allowable modes of transportation and/or services:
- (1) Taxi, bus, and other transportation companies.
  - (2) Mileage costs to a private vehicle, other than transportation providers with contractual agreements with the CDJFS, at the same rate as the CDJFS reimburses employees.
  - (3) Vouchers to gasoline service stations.

- (4) When medically necessary, an attendant's salary is reimbursable at the current federal minimum wage rate up to eight hours per day. Relatives of the consumer cannot receive an attendant's salary.
- (a) "Relative" is defined as spouse, child, grandchild, parents, grandparents, siblings, step-child, step-parents, step-siblings, mother-in-law, father-in-law, son-in-law, daughter-in-law, brother-in-law, or legal guardian or other person who stands in the place of a parent.
- (b) "Attendant" is a person who accompanies the consumer who is unable to travel independently during a Medicaid covered service.
- (5) Lodging, meals, and other related travel expenses for the consumer, and when medically necessary, an attendant, at the same rate or higher than the CDJFS pays its employees for such expenses.
- (6) Mileage reimbursement for CDJFS staff using private vehicles, at the rate the county reimburses its employees for work-related travel.
- (7) Transportation of parents or legal guardians when accompanying the Medicaid consumer who is twenty years of age or younger.
- (C) The CDJFS must maintain a data collection system organized by transportation vendor and mode of transportation capable of providing quarterly reports that include the following:
- (1) The unduplicated count of Medicaid consumers.
- (2) The unduplicated count of one-way trips.
- (3) The cost of providing each transportation service.
- (4) The total amount of mileage, if applicable.
- (D) The CDJFS is required to submit the JFS 04208, "Non-Emergency Transportation Report" (rev. January 2006) containing the information in paragraph (C) of this rule for each quarter. The report submission must be by the thirtieth day after the end of the quarter.
- (E) Documentation of NET is to be in accordance with rules 5101-9-21 and 5101-9-211 of the Administrative Code.

Replaces: Part of 5101:3-24-01, 5101:3-24-03, 5101:3-24-04,  
5101:3-24-05, 5101:3-24-06

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**MAL 545**

**Effective Date: June 1, 2008**

**Most Current Prior Effective Date: January 1, 2006**

- (A) A consumer may initiate a request for NET by telephone, in person, or in writing. The county department of job and family services (CDJFS) must process consumer requests for NET and make referrals as appropriate. A request for NET should be made by the consumer at least ten working days in advance unless transport is needed sooner either because the consumer is ill or injured or because the medicaid provider or managed care plan (MCP) provider has scheduled a medically necessary follow-up appointment.
- (B) Access to NET depends on the availability of transportation from other sources.
- (1) Medicaid consumers may not access NET if they qualify for transportation through one of the following services:
- (a) Hospice services, as specified in Chapter [5101:3-56](#) of the Administrative Code;
- (b) Ambulette, land ambulance, or air ambulance service, as specified in Chapter [5101:3-15](#) of the Administrative Code; or
- (c) Services provided by long-term care facilities (i.e., nursing facilities or intermediate care facilities), as specified in Chapter [5101:3-3](#) of the Administrative Code.
- (2) The CDJFS must provide transportation assistance through NET if two conditions are met:
- (a) Transportation is not arranged through, or the consumer has elected not to use the transportation provided through, the following medicaid programs and services:
- (i) Federally qualified health centers (FQHCs), as specified in Chapter [5101:3-28](#) of the Administrative Code;
- (ii) Managed care plans (MCPs), as specified in Chapter [5101:3-26](#) of the Administrative Code; or
- (iii) Pregnancy-related services, as specified in rule [5101:1-38-06](#) of the Administrative Code.
- (b) No suitable transportation is readily available through a community source, either public or private, without charge to the consumer.
- (3) No transportation service that is provided through another medicaid-funded source may be paid for through NET.
- (C) "Community" is the geographical area, defined by each CDJFS, within which Medicaid consumers and the general population in the county routinely access medical services. When a particular medicaid covered service is not available within the community, the CDJFS must ensure transportation outside the community to or from the nearest medicaid provider of the medicaid covered service.
- (D) In accordance with paragraph (A)(1)(i) of rule [5101:3-24-02](#) of the Administrative Code, the CDJFS may take reasonable measures to address the misuse of NET services by consumers. Such measures may include but are not limited to the imposition of a telephone confirmation requirement.
- (1) If a consumer who has telephone access fails, without good cause, on at least three consecutive occasions during a thirty-day period either to use transportation arranged by the CDJFS through NET or to cancel the service properly, then the CDJFS may require the consumer to confirm all subsequent appointments by telephone for three consecutive months.
- (2) The CDJFS must assess the consumer's situation before establishing that the consumer acted without good cause and proceeding with a telephone confirmation requirement.

- (3) Before implementing a telephone confirmation requirement, the CDJFS must notify the consumer of the telephone confirmation requirement in writing. The notification must include at least the following information:
- (a) The telephone confirmation requirement beginning date;
  - (b) The telephone confirmation requirement ending date;
  - (c) The reason for the telephone confirmation requirement, including the dates of three consecutive occasions on which the consumer failed to use scheduled transportation and the reason why it was determined that the consumer acted without good cause;
  - (d) The behavior the consumer is to demonstrate in order to successfully complete the telephone confirmation requirement;
  - (e) The name, telephone number, and address of the CDJFS contact employee; and
  - (f) The name, telephone number, and address of the contract vendor or transportation provider that the consumer is to use during the telephone confirmation requirement period.
- (E) Notification of approval or denial of NET services must be given in accordance with Chapter [5101:6-2](#) of the Administrative Code.

Effective: 06/01/2008

R.C. 119.032 review dates: 01/01/2011

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# Medicaid Handbook Transmittal Letters

## **MHTL 3334-09-02**

**Medicaid Handbook Transmittal Letter (MHTL) No. 3334-09-02** (Discontinuing the Disability Medical Assistance (DMA) Program and the Rescission of Ohio Administrative Code (OAC) Rule 5101:3-23-01), is maintained in the General Information e-book.

**[Click here to view MHTL 3334-09-02, Discontinuing the Disability Medical Assistance \(DMA\) Program and the Rescission of Ohio Administrative Code \(OAC\) Rule 5101:3-23-01](#)**