

116TH CONGRESS
1ST SESSION

S. 2846

To amend title XIX of the Social Security Act to provide for the continuing requirement of Medicaid coverage of nonemergency transportation to medically necessary items and services, and for other purposes.

IN THE SENATE OF THE UNITED STATES

NOVEMBER 13, 2019

Mr. ISAKSON (for himself and Mr. BROWN) introduced the following bill;
which was read twice and referred to the Committee on Finance

A BILL

To amend title XIX of the Social Security Act to provide for the continuing requirement of Medicaid coverage of nonemergency transportation to medically necessary items and services, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Protecting Patients
5 Transportation to Care Act”.

1 **SEC. 2. CONTINUING REQUIREMENT OF MEDICAID COV-**
 2 **ERAGE OF NONEMERGENCY TRANSPOR-**
 3 **TATION TO MEDICALLY NECESSARY ITEMS**
 4 **AND SERVICES.**

5 (a) REQUIREMENT.—Section 1902(a)(10) of the So-
 6 cial Security Act (42 U.S.C. 1396a(a)(10)) is amended—

7 (1) in subparagraph (A), in the matter pre-
 8 ceding clause (i), by striking “and (29)” and insert-
 9 ing “, (29), and (30)”; and

10 (2) in subparagraph (C)(iv), by striking “and
 11 (17)” and inserting “, (17), and (30)”.

12 (b) DESCRIPTION OF ITEMS AND SERVICES.—Section
 13 1905 of such Act (42 U.S.C. 1396d) is amended—

14 (1) in subsection (a)—

15 (A) in paragraph (29), by striking “and”
 16 at the end;

17 (B) by redesignating paragraph (30) as
 18 paragraph (31); and

19 (C) by inserting after paragraph (29) the
 20 following new paragraph:

21 “(30) subject to subsection (gg), nonemergency
 22 transportation to medically necessary items and
 23 services, consistent with the requirement of section
 24 431.53 of title 42, Code of Federal Regulations, as
 25 in effect as of June 1, 2019; and”;

1 (2) by adding at the end the following new sub-
2 section:

3 “(gg) NONEMERGENCY TRANSPORTATION TO MEDI-
4 CALLY NECESSARY ITEMS AND SERVICES.—

5 “(1) LIMITATION ON FEDERAL FINANCIAL PAR-
6 TICIPATION.—Notwithstanding any other provision
7 of this title, to be eligible for federal financial par-
8 ticipation under this title for expenses incurred as
9 medical assistance or as an administrative expense
10 for nonemergency transportation to medically nec-
11 essary items and services described in subsection
12 (a)(30), the State Medicaid agency of such State
13 must have in place a transportation coordination
14 plan and utilization management guidelines for the
15 design and delivery of nonemergency transportation
16 to medically necessary items and services.

17 “(2) TRANSPORTATION COORDINATION PLAN.—
18 For purposes of paragraph (1), the term ‘transpor-
19 tation coordination plan’ means a process that pro-
20 vides and improves—

21 “(A) access to non-emergency transpor-
22 tation to medically necessary items and services
23 to improve—

24 “(i) attendance at appointments for
25 the furnishing of items and services for

1 which medical assistance is available under
2 this title; and

3 “(ii) health outcomes; and

4 “(B) coordination in the planning of trans-
5 portation services provided with Federal assist-
6 ance, including coordination with transportation
7 providers receiving assistance under this title or
8 from other Federal sources.”.

9 (c) INTERAGENCY TRANSPORTATION COORDINATING
10 COUNCIL ON ACCESS AND MOBILITY.—The Administrator
11 of the Centers for Medicare & Medicaid Services shall be
12 a member of the Interagency Transportation Coordinating
13 Council on Access and Mobility established under Execu-
14 tive Order No. 13330 (49 U.S.C. 101 note) and shall par-
15 ticipate fully in the activities of the Council.

16 (d) EFFECTIVE DATE.—The amendments made by
17 this section shall take effect on the date of the enactment
18 of this Act and shall apply to transportation on or after
19 such date.

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