

Medi-Cal Benefit Updated: Non-Medical Transportation

Pursuant to *Welfare and Institutions Code* (W&I Code), Section 14132(ad)(1), Non-Medical Transportation (NMT) is covered, subject to utilization controls and permissible time and distance standards. This benefit is available to all eligible full-scope Medi-Cal beneficiaries and pregnant women during pregnancy and for 12 months postpartum. The previous postpartum eligibility period of 60 days was extended to 12 months on April 1, 2022, in accordance with the American Rescue Plan Act. NMT includes transporting recipients to and from Medi-Cal covered medical, mental health, substance abuse or dental services.

W&I Code, Section 14132(ad)(2)(A)(i) defines NMT as including, at minimum, round trip transportation for a recipient to obtain covered Medi-Cal services by passenger car, taxicab or any other form of public or private conveyance.

NMT does not include the transportation of sick, injured, invalid, convalescent, infirm or otherwise incapacitated recipients by ambulances, litter vans or wheelchair vans licensed, operated and equipped in accordance with state and local statutes, ordinances or regulations. These services are covered as Non-Emergency Medical Transportation (NEMT) services, pursuant to W&I Code, Section 14132(i).

Registering NMT Vehicles and Enrolling as an NMT Provider

Pursuant to W&I Code, Section 14132(ad)(8), the Department of Health Care Services (DHCS or Department) established Medi-Cal NMT provider enrollment requirements to allow currently enrolled Medi-Cal NEMT providers and new transportation providers to enroll as NMT providers and provide NMT services with passenger vehicles. These requirements implement W&I Code, Sections 14043.15 and 14043.26 and, as such, have the full force and effect of law.

Effective November 29, 2019, all NMT applicants requesting consideration for enrollment and all currently enrolled transportation providers requesting to provide NMT services are required to apply using the [Provider Application and Validation for Enrollment \(PAVE\)](#) system.

Transportation providers who are currently enrolled in Medi-Cal and want to enroll as an NMT provider and provide NMT services, as defined by W&I Code, Sections 14132(ad)(2)(A)(i) and 14132(ad)(2)(A)(ii), can request to make this change by submitting a supplemental change request with additional information using the PAVE online system.

Transportation providers who are not currently enrolled in Medi-Cal, but want to provide NMT services are required to complete and submit the Medi-Cal Provider e-Form Application and submit all supporting documentation using the online PAVE system. In accordance with W&I Code, Section 14043.25(d), all applications must include the appropriate application fee.

All applicable information must be completed in the PAVE system and must include:

- National Provider Identifier (NPI)
- Provider type (Non-Medical)

- Action requested (Add NMT vehicle[s] or driver[s])
- For all NMT vehicles:
 - Vehicle identification number
 - Make and model of vehicle
 - Year of vehicle
 - License plate number
- Legible copies of all of the following documents for all vehicles:
 - DMV vehicle registration as required by law
 - Proof of vehicle insurance as required by law
- For all driver(s):
 - Driver’s name
 - California driver’s license
- Legible copies of all of the following documents for all drivers:
 - California DMV driving record
 - California driver’s license
 - Motor Carrier Safety Administration (MCSA) 5875 and MCSA 5876 as required by law

The transportation organizations/entities shall ensure that all NMT drivers comply with all applicable state and federal licensing and certification requirements and all applicable state and federal statutes and/or regulations relating to the operation of a motor vehicle and/or transportation of passengers. Only enrolled providers who have been approved by DHCS to render NMT services may bill for NMT services. The effective date of enrollment to provide NMT services will be retroactive to the date a complete application was submitted.

Requirements for NMT Enrollment of Transportation Network Companies (TNCs)

In accordance with Public Utilities Code, Section 5431(c), Transportation Network Company (TNC) is defined as an organization, including, but not limited to, a corporation, limited liability company, partnership, sole proprietor, or any other entity, operating in California that provides prearranged transportation services for compensation using an online-enabled application or platform to connect passengers with drivers using a personal vehicle.

To enroll in the Medi-Cal program, TNCs are required to comply with the following requirements and conduct the necessary screening in order to attest that each driver and vehicle providing NMT services to Medi-Cal beneficiaries meets the following requirements in accordance with U.S. Code, Section 1396a(a)(87):

Driving Record Check Requirements:

- Each driver has a valid California driver’s license;

- The driving history has been checked for each driver and the provider has in place a process to disclose the driving history of each individual driver employed by the provider;
- Each driver has not had more than three minor moving violations, such as accidents or traffic light violations, in the past three years;
- Each driver has not had any major moving violations, such as driving on a suspended license, in the past three years;
- Each driver has not had any severe violations, such as driving under the influence of alcohol or drugs or a hit and run, in the past seven years; and
- Driving records are continuously monitored to ensure each driver meets the requirements of this section.

Background Check Requirements:

- Each provider and individual driver is not excluded from participation in any federal health care program (as defined in Section 1128B(f) of the Social Security Act) and is not listed on the Inspector General of the Department of Health and Human Services, the System for Award Management (SAM), or any available State Medicaid exclusion lists;
- Each provider has in place a process to address any violation of a state drug law by any of their drivers; and
- Criminal records are continuously monitored to ensure each driver meets the requirements of this section.

These requirements apply to TNCs (such as, without endorsement or limitation, Uber, Lyft, and other “ride sharing” companies), however, this provision excludes those providers that are public transit authorities.

Procedures for NMT Enrollment of TNCs

An applicant or provider requesting consideration for enrollment as an NMT TNC provider to transport Medi-Cal beneficiaries to and from Medi-Cal services must complete the following:

1. Complete and submit the Medi-Cal Provider e-Form Application and all supporting documentation using the online PAVE system.
2. All applications must include the appropriate application fee for the calendar year in which they are submitted.
3. In place of vehicle and driver information, the TNC must submit with the Medi-Cal Provider e-Form Application a TNC attestation letter (required language below). The attestation must be on the TNC’s letterhead and signed by an individual who is the owner, sole proprietor, partner, corporate officer or an agent of the limited liability company, who has the authority to legally bind the applicant or provider. TNC must attest to all of the following:
 - The TNC is not excluded from participation in any federal health care program (as defined in Section 1128B(f) of the Social Security Act) and is not listed on the Inspector

General of the Department of Health and Human Services, the System for Award Management (SAM), or any available State Medicaid exclusion lists

- Each driver is not excluded from participation in any federal health care program (as defined in Section 1128B(f) of the Social Security Act) and is not listed on the exclusion list of the Inspector General of the Department of Health and Human Services
- Each driver has a valid California driver's license
- Each driver has not had more than three minor moving violations or any major moving violations in the past three years. Each driver has not had any severe violations in the past seven years. The company has in place a process to disclose to the state Medicaid program the driving history, including any traffic violations, of each driver
- The TNC has in place a process to address any violation of a state drug law
- Driving records and criminal records are continuously monitored to ensure drivers remain in compliance with Medi-Cal program requirements. If a driver is found to not meet Medi-Cal program requirements, the driver shall not be used to transport Medi-Cal beneficiaries. Documentation of compliance shall be made available to DHCS upon request
- The TNC complies with federal and state regulatory requirements to ensure all Medi-Cal beneficiary information is protected in accordance with the Health Insurance Portability and Accountability Act of 1996 (HIPAA)

Providers who have questions or encounter difficulties while completing their application may call the PAVE Help Desk for assistance at (866) 252-1949.

TNC Attestation Letter

For use by TNC providers requesting enrollment in Medi-Cal and exemption from driver and vehicle reporting requirements.

I, _____, declare under penalty of perjury
(name of person authorized to legally bind the TNC)

under the laws of the State of California that the following is true and correct:

1. _____ is not excluded from participation in any federal
(name of TNC applicant or provider)
health care program (as defined in Section 1128B(f) of the Social Security Act) and is not listed on the Inspector General of the Department of Health and Human Services, the System for Award Management (SAM), or any available State Medicaid exclusion lists;
2. Each driver is not excluded from participation in any federal health care program (as defined in Section 1128B(f) of the Social Security Act) and is not listed on the Inspector General of the Department of Health and Human Services, the System for Award Management (SAM), or any available State Medicaid exclusion lists;
3. Each driver has a valid California driver's license;
4. Each driver has not had more than three minor moving violations or any major moving violations in the past three years. Each driver has not had any severe violations in the past seven years.
5. The TNC has in place a process to disclose to the state Medicaid program the driving history, including any traffic violations, of each individual driver;
6. The TNC has in place a process to address any violation of a state drug law; and
7. Driving records and criminal records are continuously monitored to ensure drivers remain in compliance with Medi-Cal program requirements. If a driver is found to not meet Medi-Cal program requirements, the driver shall not be used to transport Medi-Cal beneficiaries. Documentation of compliance shall be made available to DHCS upon request.
8. The TNC complies with federal and state regulatory requirements to ensure all Medi-Cal beneficiary information is protected in accordance with the Health Insurance Portability and Accountability Act of 1996 (HIPAA).

Signed this _____ day of _____, _____.
(date of month) (month) (year)

In _____, _____ (name
of county where signed) (state where signed)

By: _____
(printed name and title of person authorized to legally bind the TNC)

(signature of person authorized to legally bind the TNC)