

8.014 NON-EMERGENT MEDICAL TRANSPORTATION

8.014.1 DEFINITIONS

Air ambulance means a fixed-wing or rotor-wing aircraft that is equipped to provide air transportation and is specifically designed to accommodate the medical needs of individuals who are ill, injured, or otherwise mentally or physically incapacitated and who require in-flight medical supervision.

Ambulatory vehicle means a passenger-carrying vehicle available for those clients who are able to walk and do not rely on wheelchairs or other mobility devices during boarding or transportation which would necessitate a vehicle with a lift or other accommodations in order to board.

Ancillary services mean services incurred indirectly when a client authorized to receive NEMT also requires the assistance of an escort or financial assistance for meals or lodging.

At-risk adult means an adult who is unable to make personal or medical determinations, provide necessary self-care, or travel independently.

Client means a person enrolled in the Medical Assistance Program.

County DHSS means County Department of Human/Social Services.

Day treatment means facility-based services designed for children with complex medical needs. Services include educational or day care services when the school or day care system is unable to provide skilled care in a school setting, or when the child's medical needs put them at risk when around other children.

Emergency Medical Transportation means ground ambulance or air ambulance transportation for clients who have a critical or unknown illness or injury that demands immediate medical attention to prevent permanent injury or loss of life in accordance with the requirements in section 8.018.

Escort means a person who accompanies an at-risk adult or minor client.

Fixed wing air ambulance means transportation by a fixed wing aircraft that is certified as a fixed wing air ambulance, equipped with medically necessary supplies and including the provision of medically necessary services, as defined in section 8.076.1.8.

GPS means Global Positioning System.

Ground ambulance means a ground vehicle, including a water ambulance, specifically designed to accommodate the medical needs of individuals who are ill, injured, or otherwise mentally or physically incapacitated.

Life Sustaining Supplies means oxygen and oxygen supplies required for life sustaining treatment during transport via ambulance.

Medicaid Client Transport (MCT) Permit means a permit issued in accordance with CRS § 40-10.1-302.

Mode means the method of transportation.

Non-Emergent Medical Transportation (NEMT) means transportation to and from medically necessary non-emergency treatment that is covered by the Colorado Medical Assistance Program. Non-emergency care may be scheduled or unscheduled. This may include urgent care transportation and hospital discharge transportation.

Program of All Inclusive Care for the Elderly (PACE) is a capitated rate benefit which provides all-inclusive long-term care to individuals who are 55 years or older, meet nursing facility level of care and live in the service area of a PACE Organization in accordance with section 8.497.

PUC means the Colorado Department of Regulatory Agencies Public Utilities Commission.

Rotor Wing Air Ambulance means transportation by a helicopter that is certified as an ambulance, equipped with medically necessary supplies and including the provision of medically necessary services, as defined in section 8.076.1.8.

State Designated Entity (SDE) means the organization responsible for administering NEMT.

Stretcher van means a vehicle that can legally transport a client in a prone or supine position when the client does not require medical attention en route. This may be by stretcher, board, gurney, or other appropriate device.

Taxicab means a motor vehicle with a seating capacity of eight or less, including the driver, operating in taxicab service, as defined in 4 CCR 723-6, § 6200(q).

Taxicab services means passenger transportation as defined in 4 CCR 723-6, § 6200(r).

Trip means one-way transportation from the point of origin to the point of destination.

Urgent care means an unplanned appointment for a covered medical service with verification from an attending physician that the client must be seen within 48 hours.

Wheelchair vehicle means a motor vehicle designed and used for the non-emergent transportation of individuals with disabilities as defined in CRS § 42-7-510(2)(b). These vehicles include vans modified for wheelchair access or wheelchair accessible minivans.

8.014.2 Client Eligibility and Responsibilities

8.014.2.A. Non-Emergent Medical Transportation (NEMT) is a benefit for Colorado Medical Assistance Program clients.

1. NEMT is not available to Colorado Medical Assistance Program clients within the following eligibility groups on the date of the trip:
 - a. Qualified Medicaid Beneficiary (QMB) Only
 - b. Special Low Income Medicare Beneficiary (SLMB) Only
 - c. Medicare Qualifying Individual-1 (QI-1) Only
 - d. Old Age Pension- State Only (OAP-state only)

8.014.2.B. Child Health Plan Plus clients are not eligible for NEMT.

8.014.2.C. PACE clients receive transportation provided by their PACE organization and are not eligible for NEMT.

8.014.2.D. NEMT services may be denied if client(s) do not observe the following responsibilities:

1. Comply with applicable state, local, and federal laws during transport.
2. Comply with the rules, procedures and policies of the State Designated Entity.
3. Obtain authorization from their State Designated Entity.
4. Clients must not engage in violent, disruptive, or illegal conduct while utilizing NEMT services.
5. Clients must not pose a direct threat to the health or safety of themselves or others, including drivers.
6. Clients must cancel their NEMT trip if the ride is no longer needed.

8.014.3 Provider Eligibility and Responsibilities

8.014.3.A. To provide NEMT services to Colorado Medical Assistance clients, a provider must:

1. Enroll with the Department as an NEMT provider;
2. Meet all provider screening requirements in section 8.125;
3. Comply with commercial liability insurance requirements and, if applicable, PUC financial responsibility requirements in section CRS § 40-10.1-107;
4. Maintain and comply with the following appropriate licensure, or exemption from licensure, requirements:
 - a. PUC common carrier certificate as a taxicab;
 - b. PUC MCT Permit as required by CRS § 40-10.1-302;
 - c. Ground ambulance license as required by 6 CCR 1015-3, Chapter four; or
 - d. Air Ambulance license as required by 6 CCR 1015-3, Chapter five.
5. Only provide NEMT services appropriate to their current licensure(s) and within the geographic limitations applicable to the licensure.

8.014.3.B. NEMT transportation providers shall ensure that all vehicles and auxiliary equipment used to transport clients meet federal, state, and local safety inspection and maintenance requirements.

8.014.3.C. NEMT transportation providers shall maintain a trip report for each NEMT trip provided and must, at a minimum, include:

1. The pick-up address;
2. The destination address;

3. Date and time of the trip;
4. Client's name and/or identifier;
5. Confirmation by the client, escort, or medical facility that the trip occurred;
6. The actual pick-up and drop off time;
7. The driver's name; and
8. Identification of the vehicle in which the trip was provided.

8.014.3.D. NEMT providers shall ensure that all vehicles and auxiliary equipment used to transport clients meet federal, state, and local safety inspection and maintenance requirements.

8.014.3.E Multiple Loading

1. More than one client may be transported at the same time following standard safety guidelines.
2. Taxicabs must comply with applicable PUC rules regarding multiple passengers at 4 C.C.R. 723-6, § 6253.
3. Each client must agree to be transported with other clients.
4. If multiple clients are transported in a single vehicle, no client shall be in the vehicle for more than thirty minutes longer than if the client were transported alone.
5. Children traveling without an escort cannot be transported with unknown persons at any time.

8.014.3.E. The section 8.014.3 requirements do not apply to client reimbursement or bus or rail systems.

8.014.4 COVERED SERVICES

8.014.4.A Transportation Modes

1. Covered modes of transportation include:
 - a. Bus and Public Rail Systems
 - i) Transit passes may be issued when the cumulative cost of bus tickets exceeds the cost of a pass.
 - b. Personal vehicle mileage reimbursement
 - c. Ambulatory vehicles
 - d. Wheelchair vehicles
 - e. Taxicab
 - f. Stretcher Van
 - g. Ground Ambulance

- h. Air Ambulance
- i. Commercial plane
- j. Train

8.014.4.B NEMT Services

1. NEMT is a covered service when:
 - a. The client does not have access to other means of transportation, including free transportation, and
 - b. Transportation is required to obtain a non-emergency Medicaid service(s).
2. Non-emergent ambulance service (ground ambulance and air ambulance) is covered where:
 - a. The client requires basic life support or advanced life support to be transported safely, or
 - i) Basic life support (BLS) is required to maintain life, including cardiopulmonary resuscitation, during transport from the client's pickup point to the provider's facility, without cardiac/hemodynamic monitoring or other invasive techniques.
 - 1) Services during BLS transport may include suctioning en route (not deep suctioning) and airway control/positioning.
 - ii) Advanced life support (ALS) is required, following an advanced life support assessment performed by ALS qualified personnel in accordance with State and local laws, at Level 1 or Level 2.
 - 1) ALS Level 1 includes the provision of at least one ALS intervention required to be furnished by ALS personnel.
 - 2) ALS Level 2 includes:
 - a) The administration of at least three medications by intravenous push/bolus or by continuous infusion, excluding crystalloid, hypotonic, isotonic, and hypertonic solutions (Dextrose, Normal Saline, Ringer's Lactate); or
 - b) The provision of at least one of the following ALS procedures:
 - i. Manual defibrillation/cardioversion.
 - ii. Endotracheal intubation.
 - iii. Central venous line.
 - iv. Cardiac pacing.
 - v. Chest decompression.

- vi. Surgical airway.
 - vii. Intraosseous line.
 - b. When transportation by any other means would endanger the client's life.
3. NEMT may be provided to an urgent care appointment under the following circumstances:
- a. When a provider is available, and
 - b. The client is transported to an urgent care facility, which may include a trauma center if the nearest and most appropriate facility.

8.014.4.C Vehicle Mileage

- 1. Vehicle mileage reimbursement is covered for a privately owned, non-commercial vehicle when owned by:
 - a. A client, a client's relative, or an acquaintance, or
 - b. A volunteer or organization with no vested interest in the client.
- 2. Mileage reimbursement will only be made for the shortest trip length in miles as determined by an internet based map, trip planner, or other GPS.
 - a. Exceptions can be made by the SDE if the shortest distance is impassable due to:
 - i) Severe weather,
 - ii) Road closure, or
 - iii) Other unforeseen circumstances outside of the client's control that severely limit using the shortest route.
 - b. If an exception is made, the SDE must document the reason and pay mileage for the actual route traveled.
- 3. The client must provide the following information to the SDE:
 - a. Name and address of vehicle owner and driver (if different from owner);
 - b. Name of the insurance company and policy number for the vehicle; and
 - c. Driver's license number and expiration date.
- 4. The client must submit all required documentation to the SDE within 45 calendar days of the final leg of the trip.

8.014.4.D. Ancillary Services

- 1. Escort
 - a. The Department may cover the cost of transporting one escort when the client is:

- i) A child, or
 - 1) An escort is required to accompany a client if the client is under thirteen (13) years old, unless the child:
 - a) Is traveling to a day treatment program (children are not eligible for NEMT travel to and from school funded day treatment programs),
 - b) The parent or guardian signs a written release,
 - c) An adult will be present to receive the child at the destination and return location, and
 - d) The day treatment program and the parents approve of the NEMT provider used.
 - ii) An at-risk adult unable to make personal/medical determinations or provide necessary self-care as certified in writing by the client's attending Medicaid enrolled provider.
 - b. The escort must be physically and cognitively capable of providing the needed services for the client.
 - c. The Department may cover the cost of transporting a second escort for the client. A second escort must be prior authorized in accordance with section 8.014.6. A second escort will only be approved if:
 - i) The client has a behavioral or medical condition which may cause the client to be a threat to self or others if only one escort is provided, or
 - ii) The client's primary caregiver has a disability that precludes the caregiver from providing all of the client's needs during transport or extended stay.
 - d. Clients who are at least thirteen (13) years old, but younger than eighteen (18) years old, may travel without an escort with a written release from their parent or guardian. If a child is traveling without an escort, an adult must be present to receive the minor at both the destination and the return location.
2. Meals and Lodging
- a. The Department may pay, or reimburse clients, for meals and lodging for in-state treatment only when:
 - ii) Travel cannot be completed in one calendar day, or
 - iii) The client requires ongoing, continuous treatment and
 - 1) The cost of meals and lodging is less than or equal to the cost of traveling back and forth between the treatment facility and the client's residence, or

- 2) The client's treating medical professional determines that traveling to and from the client's residence would put the client's health at risk.
 - b. Meals and lodging may be covered for the escort(s) when the client is a child or an at-risk adult who requires the escort's continued stay.
 - c. Reimbursement will only be made for meals and lodging for which clients and escorts are actually charged up to the per diem rate established by the Department. If a client is not normally billed for meals or lodging, reimbursement will not be made.
 - d. Meals and lodging will not be paid or reimbursed when those services are included as part of an inpatient stay.

8.014.4.E. Covered Places of Services

1. NEMT must be to service location(s) enrolled with the Colorado Medical Assistance Program to provide the services the client is receiving.
2. NEMT must be provided to the closest provider available qualified to provide the service the client is traveling to receive. If the closest provider is not willing to accept the client, the client may use NEMT to access the next closest qualified provider.
3. NEMT services may be covered for the client even if the medical procedure is paid for by an entity other than Colorado Medical Assistance Program. This facility must be an enrolled provider and the medical procedure must be covered by Colorado Medicaid.

8.014.5. NON-COVERED NEMT SERVICES AND GENERAL LIMITATIONS

8.014.5.A The following services are not covered or reimbursable:

1. Services provided only as a convenience to the client.
2. Charges incurred while client is not in the vehicle, except for lodging and meals in accordance with section 8.014.4.D.
3. Transportation to or from non-covered medical services, including services that do not qualify due to coverage limitations and services provided at locations not included in section 8.014.4.E.
4. Waiting time.
5. Cancellations.
6. Transportation which is covered by another entity.
7. Metered taxi services.
8. Charges for additional passengers, including siblings or children not receiving a medical service, except when acting as an escort.

9. Transportation for nursing facility or group home residents to medical or rehabilitative services required in the facility's program, unless the facility does not have an available vehicle.
10. Transportation to emergency departments to receive emergency services.
11. Providing escorts or the escort's wages.
12. Trips to receive Home and Community Based Services
 - a. Non-medical Transportation should be utilized if other transportation options are not available to the client.

8.014.5.A General Limitations

1. The client must utilize the least costly mode of transportation available that is suitable to the client's condition.
 - a. The SDE is responsible for ensuring the least costly mode of transportation available, suitable to the client's condition, is utilized.

8.014.6 PRIOR AUTHORIZATION

8.014.6.A All NEMT services must be authorized as required by the SDE. NEMT services may be denied if proper documentation is not provided to the SDE. The responsible SDE is determined by the client's county of residence.

8.014.6.B. If a client requests transportation via wheelchair vehicle, stretcher van, or ambulance, the SDE must verify the service is medically necessary with the client's medical provider.

1. Medical or safety requirements must be the basis for transporting a client in the prone or supine position.

8.014.6.C

1. The following services require prior authorization by the Department:
 - a. Out-of-State travel, except to the following Border Towns:
 - i) Arizona: Flagstaff and Teec Nos Pos.
 - ii) Kansas: Elkhart, Goodland, Johnson, Sharon Springs, St. Francis, Syracuse, Tribune.
 - iii) Nebraska: Benkelman, Cambridge, Chappell, Grant, Imperial, Kimball, Ogallala, and Sidney.
 - iv) New Mexico: Aztec, Chama, Farmington, Raton, and Shiprock.
 - v) Oklahoma: Boise City.

- vi) Utah: Monticello and Vernal.
 - vii) Wyoming: Cheyenne and Laramie.
 - b. Air travel, both commercial air and air ambulance.
 - c. Train travel via commercial railway.
 - d. Second escort.
2. Prior authorization requests to the Department require the following information:
- a. NEMT prior authorization request form completed by SDE and submitted to the Department according to form instructions.
 - i) The Department reviews the request and shall approve, deny, or request additional information. The Department will return incomplete requests to the State Designated Entity.
 - ii) The Department's determination will be communicated to the State Designated entity. If additional information is requested, the State Designated Entity must obtain the information and submit to the Department. If the request is denied, the State Designated Entity must send the client a denial notice.

8.014.6.D Out of State NEMT

- 1. NEMT to receive out of state treatment is permissible only if treatment is not available in the state of Colorado.
- 2. The following Border towns are not considered out of state for the purposes of NEMT prior authorization:
 - a. Arizona: Flagstaff and Teec Nos Pos.
 - b. Kansas: Elkhart, Goodland, Johnson, Sharon Springs, St. Francis, Syracuse, Tribune.
 - c. Nebraska: Benkelman, Cambridge, Chappell, Grant, Imperial, Kimball, Ogallala, and Sidney.
 - d. New Mexico: Aztec, Chama, Farmington, Raton, and Shiprock.
 - e. Oklahoma: Boise City.
 - f. Utah: Monticello and Vernal.
 - g. Wyoming: Cheyenne and Laramie.