

1 **8.494 NON-MEDICAL TRANSPORTATION**

2 **8.494.10 DEFINITIONS**

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4 Medicaid Client Transport (MCT) Permit means a permit that is issued to a person by the Public
5 Utilities Commission (PUC) that is applying to provide Non-Medical Transportation service.

6 Non-Medical Transportation (NMT) services means transportation which enable eligible clients
7 to gain personal-physical access to non-medical community services and ~~resources~~ supports, as
8 required by the care plan to prevent institutionalization.

9 ~~.12~~ Non-Medical Transportation Provider means a provider agency as defined at 10 CCR
10 2505-10 section ~~8.478 8.484.50.P~~ which has met all the certification standards for transportation
11 providers listed below.

12 **8.494.20 INCLUSIONS**

13 .21 Non-Medical ~~transportation~~ Transportation services shall include, but not be limited to,
14 transportation between the client's home and non-medical services or ~~resources~~ supports
15 such as ~~Adult Day Center's services~~, shopping, ~~community activities that encourage~~
16 ~~community integration~~, therapeutic swimming, ~~dentist appointments~~, counseling sessions,
17 and other services as required by the care plan to prevent institutionalization.

18 **8.494.30 EXCLUSIONS**

19 .31 Non-medical ~~Medical transportation~~ Transportation services shall not be used to
20 substitute for medical transportation, which is subject to reimbursement under 10 CCR
21 2505-10 sections 8.680 through 8.691.

22 .32 Non-Medical ~~transportation~~ Transportation services shall only be used after the case
23 manager has determined that free transportation is not available to the client.

24 **8.494.40 CERTIFICATION PROVIDER STANDARDS FOR TRANSPORTATION**
25 **SERVICES**

26 .41 Transportation providers shall conform to all general ~~certification~~ standards and
27 procedures ~~set forth within this regulation at~~ 10 CCR 2505-10 section ~~8.494 and~~ 10 CCR
28 ~~2505-10 section~~ 8.487 ~~with the following exceptions:-~~

29 A. ~~Existing Non-Medical Transportation providers have until January 1st, 2018 to~~
30 ~~fully comply with the rule set forth within this regulation~~ 10 CCR 2505-10 8.494
31 ~~regarding the new Medicaid Provider and MCT Permit applications.~~

32 ~~.42~~ Transportation providers shall assure that:

1 .42 A. All drivers shall possess a valid Colorado driver's license, shall be free of
2 physical or mental impairment that would adversely affect driving performance, and have
3 not had two or more convictions or chargeable accidents within the past two years.

4 .43 B. All vehicles and related auxiliary equipment shall meet all applicable federal,
5 state, and local safety inspection and maintenance requirements, and shall be in
6 compliance with state automobile commercial liability insurance requirements including
7 Public Utilities Commission financial responsibility requirements.

8 .443 Provider and Driver Qualifications:

9 A. Each Provider must have and maintain a valid MCT Permit from the PUC, unless
10 specifically exempt from the regulations as stated in section 40-10.1-301; and

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12 B. Each Provider must maintain safe and functioning vehicles, free of deficiencies,
13 and in compliance with PUC safety rules; and

14 C. Each Provider shall be able to ensure that all drivers, prior to providing NMT
15 services, have been qualified based upon the results of the statutorily required
16 criminal history record check as conducted via the Public Utilities Commission,
17 as outlined in Section 40-10.1-301.

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19 **8.494.50 LIMITATIONS AND REIMBURSEMENT**

20 .51 Reimbursement for non-medical transportation shall be the lower of billed charges or the
21 prior authorized unit cost at a rate not to exceed the cost of providing medical
22 transportation services.

23 .52 A provider's submitted charges shall not exceed those normally charged to the general
24 public, other public or private organizations, or non-subsidized rates negotiated with other
25 governmental entities.

26 .53 No payment shall be made ~~for charges~~ when the recipient is not ~~actually~~ in the vehicle.

27 .54 Providers shall not bill for services before they are an approved Medicaid provider and
28 may bill only for those NMT services performed by a driver that has been qualified based
29 upon the results of the statutorily required criminal history record check and is otherwise
30 qualified to drive.

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32 .54 ~~Effective 2/1/99, t~~here shall be no reimbursement under this section for non-medical
33 transportation services provided to clients residing in uncertified congregate facilities.
34 Case managers may submit a written request to the Department for a waiver not to

1 exceed six months for clients receiving services in uncertified congregate facilities prior to
2 the effective date of this rule. After that time, services shall be discontinued.

3 .55 ~~Effective 12/01/2009, e~~Excluding transportation to HCBS Adult Day facilities, a client may
4 not receive more than the equivalent of two (2) round trip services per week, or 104
5 round trip services per annual certification period utilizing NMT, unless otherwise
6 authorized by the Department.

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