

## DEPARTMENT OF SOCIAL SERVICES

### NOTICE OF INTENT TO ADOPT REGULATIONS

In accordance with the provisions of subsection (a) of section 4-168 of the Connecticut General Statutes, notice is hereby given that the Commissioner of Social Services, under section 17b-262 of the Connecticut General Statutes, proposes to establish in regulation, the policies for the administration of non-emergency medical transportation, a benefit conferred under the Medicaid program.

**Statement of Purpose:** (A) The purpose of the regulation is to adopt new sections 17b-262-1040 to 17b-262-1047, inclusive of the Regulations of Connecticut State Agencies and repeal section 17-134d-33 of the Regulations of Connecticut State Agencies. The proposed regulation updates the regulation for the provision of non-emergency medical transportation in compliance with 42 CFR 440.170 and section 17b-276 of the Connecticut General Statutes.

(B) The issues that the regulations propose to address include: (1) the authority of the Department of Social Services to procure a broker to manage non-emergency medical transportation on its behalf; (2) the role of the broker; (3) the requirements to serve as a transportation provider which provides transport for Recipients to and from the Recipients' Medicaid-covered services; (4) the requirements for payment of the participating transportation providers; (5) the requirements for reimbursement to be issued for those providing private transportation or transportation through a homemaker-companion agency; (6) when a Recipient is entitled to non-emergency medical transportation and how they may obtain transport; and (7) the rights of Recipients to appeal decisions made by the broker with which the client disagrees.

The main provisions of the regulation provide: (1) Definitions; (2) Scope; (3) Covered Services, Non-Covered Services, and Limitations on service; (4) Broker responsibilities; (5) Prior Authorization Requirements (6) Transportation Provider responsibilities; (7) Recipient Responsibilities; and (6) Department Responsibilities.

(C) The legal effects of the regulation, including all of the ways that the regulation would change existing regulations or other laws are: The proposed regulation will set forth the policies for payment and administration of the non-emergency medical transportation services under the Medicaid program.

A copy of the complete text of this regulation is available, at no cost, upon request from the Office of Legal Counsel, Regulations and Administrative Hearings, Department of Social Services, 55 Farmington Avenue, Hartford, Connecticut 06105; email: [joseph.smiga@ct.gov](mailto:joseph.smiga@ct.gov).

A public hearing is scheduled to be held on October 29, 2014 from 10:00 a.m. – 12:00 p.m. or until all the comments have been heard or until the last person has testified. The public hearing will be at the Department of Social Services' Central Office, on the 1<sup>st</sup> floor of 55 Farmington Avenue, Hartford, CT 06105. Speakers are requested, although not required, to submit a written copy of their comments. Written comments, questions, and concerns regarding this regulation may be submitted at any time prior to the close of the public hearing, and should be sent to the Department of Social Services, Office of Legal Counsel, Regulations & Administrative Hearings, 55 Farmington Avenue, Hartford, Connecticut, 06105, attention: Brenda Parrella, Director. All comments must be received by the close of the public hearing and will not be accepted or considered if received after the close of the public hearing. When submitting correspondence, please refer to Regulation Control Number 12-03/NEMT.