

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2120 Session of 2019

INTRODUCED BY HENNESSEY, DECEMBER 12, 2019

AS REPORTED FROM COMMITTEE ON TRANSPORTATION, HOUSE OF REPRESENTATIVES, AS AMENDED, DECEMBER 16, 2019

AN ACT

1 Amending the act of June 13, 1967 (P.L.31, No.21), entitled "An
2 act to consolidate, editorially revise, and codify the public
3 welfare laws of the Commonwealth," in medical assistance,
4 further providing for nonemergency medical transportation
5 services.

6 The General Assembly of the Commonwealth of Pennsylvania
7 hereby enacts as follows:

8 Section 1. Section 443.12 of the act of June 13, 1967
9 (P.L.31, No.21), known as the Human Services Code, amended or
10 added June 22, 2018 (P.L.258, No.40), and June 28, 2019
11 (P.L.168, No.19), is amended to read:

12 Section 443.12. Nonemergency Medical Transportation
13 Services.--[(a) The department shall amend the Commonwealth's <--
14 State Plan under Title XIX of the Social Security Act (49 Stat.
15 620, 42 U.S.C. § 1396 et seq.) to provide nonemergency medical
16 transportation services to eligible and enrolled medical
17 assistance recipients utilizing a Statewide or regional {full- <--
18 risk brokerage} model. <--

19 (b) Subject to Federal approval of the amendments to the

1 Commonwealth's approved Title XIX State Plan, the department  
2 shall develop a proposal.

3 †(c) The department shall issue the solicitation for a <--  
4 Statewide or regional full-risk brokerage model within one  
5 hundred eighty days after the effective date of this subsection.

6 (d) The department may not enter into a contract with a  
7 broker under subsection (b) prior to the completion of the  
8 analysis required under subsection (e).† <--

9 (e) †Prior to the implementation of the full-risk brokerage <--  
10 model, the] (E) The department, in coordination with the <--  
11 Department of Transportation and the Department of Aging, shall  
12 commission an analysis that provides at a minimum the following:

13 (1) An analysis of current Federal and State law,  
14 regulations and policies controlling the nonemergency medical  
15 transportation and other human services transportation programs  
16 administered in the Commonwealth, including the authorized  
17 methods of delivery and limitations or restrictions imposed on  
18 the methods of delivery.

19 (2) An analysis of the effectiveness and efficiency of the  
20 current nonemergency transportation service delivery as it  
21 relates to all human service programs in this Commonwealth.

22 (3) A review of other states' models of delivering  
23 nonemergency medical and other human services transportation,  
24 including the number of other states that utilize a full-risk  
25 brokerage model and the effect a brokerage model has had on  
26 public transit in those states.

27 (4) An analysis of the positive and negative impact of  
28 maintaining the current transportation delivery model versus  
29 implementing a full-risk brokerage model as it relates to the  
30 State and local government entities, including financial impact.

1 (5) An analysis of the impact on consumers, including an  
2 increase or decrease in quality and service availability.

3 (f) The analysis under subsection (e) shall be completed no  
4 later than one hundred eighty days from the effective date of  
5 this subsection. A preliminary report of the analysis under  
6 subsection (e) shall be completed no later than ninety days from  
7 the effective date of this subsection. The analysis under  
8 subsection (e) and the preliminary report under this subsection  
9 shall be delivered to the following:

10 (1) The Secretary of Human Services.

11 (2) The Secretary of Aging.

12 (3) The Secretary of Transportation.

13 (4) The chairperson and minority chairperson of the  
14 Appropriations Committee of the Senate.

15 (5) The chairperson and minority chairperson of the  
16 Appropriations Committee of the House of Representatives.

17 (6) The chairperson and minority chairperson of the Health  
18 and Human Services Committee of the Senate.

19 (7) The chairperson and minority chairperson of the Health  
20 Committee of the House of Representatives.

21 ~~(g) A full-risk brokerage model may not be implemented until <--~~  
22 ~~legislation is enacted to do all of the following:~~

23 ~~(1) Authorize a change in the implementation of nonemergency~~  
24 ~~medical transportation services.~~

25 ~~(2) Transfer the function of implementing nonemergency~~  
26 ~~medical transportation services from the department to the~~  
27 ~~Department of Transportation. BY THE DEPARTMENT. <--~~

28 Section 2. This act shall take effect immediately.