DEPARTMENT OF HEALTH AND HUMAN SERVICES
HEALTH CARE FINANCING ADMINISTRATION

FORM APPROVED
OMB NO. 0938-0193

TRANSMITTAL AND NOTICE OF APPROVAL OF STATE PLAN MATERIAL

FOR: HEALTH CARE FINANCING ADMINISTRATION

1. TRANSMITTAL NUMBER: 04-13

2. STATE: Minnesota

3. PROGRAM IDENTIFICATION: TITLE XIX OF THE SOCIAL SECURITY ACT (MEDICAID)

TO: REGIONAL ADMINISTRATOR
HEALTH CARE FINANCING ADMINISTRATION
DEPARTMENT OF HEALTH AND HUMAN SERVICES

4. PROPOSED EFFECTIVE DATE
July 15, 2004

. TYPE OF PLAN MATERIAL *(Check One)*:

☒ NEW STATE PLAN ☒ AMENDMENT TO BE CONSIDERED AS NEW PLAN ☐ AMENDMENT

COMPLETE BLOCKS 6 THRU 10 IF THIS IS AN AMENDMENT *(Separate Transmittal for each amendment)*

. FEDERAL STATUTE/REGULATION CITATION
2 CFR §431.53

7. FEDERAL BUDGET IMPACT:
a. FFY '04 ($221)
b. FFY '05 ($1,077)

. PAGE NUMBER OF THE PLAN SECTION OR ATTACHMENT:
Attachment 3.1-D, pp. 1-2
Attachment 3.1-A, pp 72-72c
Attachment 3.1-B, pp 71-71c

9. PAGE NUMBER OF THE SUPERSEDED PLAN SECTION OR ATTACHMENT *(If Applicable)*:
Att. 3.1-D, pp. 1-3
Attachment 3.1A, pp 72-72c
Attachment 3.1-B, pp 71-72c

0. SUBJECT OF AMENDMENT:
Methods of Assuring Transportation

1. GOVERNOR'S REVIEW *(Check One)*:
☐ GOVERNOR'S OFFICE REPORTED NO COMMENT
☒ COMMENTS OF GOVERNOR'S OFFICE ENCLOSED
☒ NO REPLY RECEIVED WITHIN 45 DAYS OF SUBMITTAL
☒ OTHER, AS SPECIFIED: Minnesota (04-13)

2. SIGNATURE OF STATE AGENCY OFFICIAL:

16. RETURN TO:
Approved: 09/10/04
Effective: 07/15/04

Stephanie Schwartz
Federal Relations Unit
Minnesota Department of Human Services
444 Lafayette Road No.
St. Paul, MN 55155-3852

3. TYPED NAME:
// Mary B. Kennedy - signature //

4. TITLE:
Medicaid Director

5. DATE SUBMITTED:
June 28, 2004

FOR REGIONAL OFFICE USE ONLY

7. DATE RECEIVED: June 28, 2004

18. DATE APPROVED: 9/10/04

PLAN APPROVED – ONE COPY ATTACHED

9. EFFECTIVE DATE OF APPROVED MATERIAL: July 15, 2004

20. SIGNATURE OF REGIONAL OFFICIAL: Cheryl A. Harris

1. TYPED NAME: Cheryl A. Harris

22. TITLE: Associate Regional Administrator
Division of Medicaid and Children's Health

3. REMARKS:

FORM HCFA-179 (07-92)

24.a. Transportation and other services to assure access to covered services:

- Medical transportation must be to or from the site of a covered service to a recipient to be eligible for payment.

- Transportation of a recipient between providers is a covered service with the following limitations:

  1) Transportation between two long term care facilities must be medically necessary because the health services required by the recipient's plan of care are not available at the long term care facility where the client resides. There are two exceptions:

     a) it is an emergency; or

     b) due to the severe winter and spring of 1997, it is necessary to return a recipient to his or her original long term care facility or to a long term care facility closer to the original facility. This subitem expires February 1, 1998.

  2) Transportation between two hospitals must be to obtain a medically necessary service that is not available at the hospital where the recipient was when the medical necessity was diagnosed.

- Payment for transportation of a deceased person is limited to the following circumstances:

  1) If a recipient is pronounced dead after medical transportation is called but before it arrives, service to the point of pick-up is eligible for payment.

  2) If medical transportation is provided to a recipient who is pronounced dead on arrival, the medical transportation is eligible for payment.

  3) If a recipient is pronounced dead before medical transportation is called, medical transportation is not eligible for payment.

4.a. Transportation and other services to assure access to covered services: (continued)

- To be eligible for the medical assistance payment rate as a life support transportation, the life support transportation must comply with the following:

  1) The provider must be licensed under Minnesota Statutes, §§144.802 and 144.804.

  2) The recipient's transportation must be in response a 911 emergency call, police or fire department, or an emergency call received by the provider.

  3) The medical necessity of the service must be documented by the state report required under Minnesota Statutes, §144.807.

  4) Life support transportation that responds to a medical emergency is eligible for payment for no load transportation only if the life support transportation provided medically necessary treatment to the recipient at the pick-up point of the recipient. The payment is limited to charges for transportation to the point of pick-up and for ancillary services.

- Special transportation is a covered service if the recipient has a physical or mental impairment that would prohibit the recipient from safely accessing and using a bus, taxi, other commercial transportation, or private automobile.

  Such a recipient must not require life support transportation.

  Special transportation includes driver-assisted service. Driver-assisted service includes:

  1) passenger pickup at and return to the recipient's residence or place of business;

  2) assistance with admittance of the recipient to the medical facility; and

24.a. Transportation and other services to assure access to covered services: (continued)

3) assistance in recipient securement or in securing of wheelchairs or stretchers in the vehicle.

Payment eligibility of special transportation is subject to the following limitations:

1) The special transportation and special transportation to reach a health service outside the recipient's local trade area is provided to a recipient who has been determined eligible for special transportation because of physical or mental impairment.

2) The cost of special transportation of a recipient who receives day services outside the intermediate care facility for persons with mental retardation is not eligible for reimbursement on a separate claim for payment if transportation expenses are included in the per diem payment to the ICF/MR.

- Transportation by air ambulance shall be eligible for medical assistance payment if the recipient has a life threatening condition that does not permit the recipient to use another form of transportation.

- The following costs related to transportation are not eligible for payment as medical transportation:

1) transportation of a recipient to a hospital or other site of health services for detention that is ordered by a court or law enforcement agency except when life support transportation is a medical necessity;

2) transportation of a recipient to a facility for alcohol detoxification that is not a medical necessity;

3) no load transportation except as allowed for life support transportation;

4) additional charges for luggage, stair carry of the recipient, and other airport, bus, or railroad transportation services;

24.a. Transportation and other services to assure access to covered services: (continued)

5) airport surcharge;

6) federal or state excise or sales taxes on air ambulance services;

7) transportation of a recipient to a non-covered service (e.g., grocery store, health club, place of worship);

8) extra attendant charges for a personal care attendant accompanying a recipient; and

9) separate base rates for the continuation of a special transportation trip beyond the original destination.

- Local agencies and the transportation coordinator approve payment from administrative funds for meals, lodging, or interpreters for the hearing impaired when such services are necessary to obtain necessary covered MA services.

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24.a. Transportation and other services to assure access to covered services: (continued)

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- Local agencies and the transportation coordinator approve payment from administrative funds for meals, lodging, or interpreters for the hearing impaired when such services are necessary to obtain necessary covered MA services.

METHODS OF PROVIDING TRANSPORTATION

42 CFR 431.53 Transportation includes expenses for transportation and other related travel expenses determined to be necessary to enable a recipient to obtain a medically necessary health service in accordance with 42 CFR 440.170.

Transportation may be furnished by a provider to whom a direct vendor payment can be made.

Transportation provided by an unlicensed vendor must be prior authorized.

The following transportation services are not provided:

- Transportation services provided so recipients can obtain a service which is not a health service. A health service is one which is paid by medical assistance.
- Ambulance service in cases where another means of transportation would have sufficed.

ACCESS TO MEDICALLY NECESSARY SERVICES

The local agency or transportation coordinator shall ensure that a service listed in items A to C is available to a recipient to enable the recipient to obtain medically necessary health services as required under Minnesota Rules, part 9505.0140. The local agency shall pay directly for these services and may charge them to the medical assistance program administrative account for reimbursement. The services are:

A. Transportation by volunteer driver, common carrier, contract for service, or direct mileage reimbursement at 20 cents per mile, to the recipient or the recipient's driver.

   Parking fees must be reimbursed at actual cost.

ACCESS TO MEDICALLY NECESSARY SERVICES, continued

B. Meals and lodging necessary to obtain health services. Direct payment or reimbursement to a vendor or to the recipient for the cost of the recipient's meals and lodging are as follows:

- no more than $5.50 for breakfast;
- no more than $6.50 for lunch; or
- no more than $8.00 for dinner; and
- no more than $50.00 per day for lodging (unless prior authorized by the local agency)

C. Meals, lodging, and transportation costs of a responsible relative or other person to accompany or be present with the recipient at the site of health services. When a responsible relative or another individual is needed to accompany the recipient or to be present with the recipient at the site of health services, the accompanying individual must be reimbursed for the cost of their meals, transportation, and lodging based on the standard for the recipient in item B, above.

LOCAL AGENCY PROCEDURE TO ENSURE ACCESS

Within 90 days after the first day of January, 1987, and every two years thereafter, the local agency shall submit to the Department a transportation plan that specifies the means the local agency will use to meet the transportation requirements. The Department shall review the plan and advise the local agency whether it meets current state and federal requirements. The local agency shall inform a recipient of the county's transportation payments of costs if exceptions are made for emergencies and retroactive eligibility.

LOCAL AGENCY PROCEDURE TO ENSURE ACCESS TO HEARINGS

Local agencies shall reimburse applicants and recipients part 9505.0130, subpart 1. Reasonable and necessary