

Bulletin

September 23, 2008

Minnesota Department of Human Services -- P.O. Box 64973 -- St. Paul, MN 55164-0973

OF INTEREST TO

- County Directors
- Nursing Facilities
- Social Services Supervisors

ACTION/DUE DATE

Immediate action.

EXPIRATION DATE

September 23, 2010

Nursing Facility (NF) Resident Transportation and Escort Services

TOPIC

Transportation and escort services for NF residents.

PURPOSE

Clarify nursing facility obligations regarding transport and/or escort services.

CONTACT

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State Programs Administrator Director
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SIGNED

LOREN COLMAN
Assistant Commissioner
Continuing Care

BACKGROUND

Under federal law, nursing facilities are obligated to assist residents in obtaining needed transportation services. Like other services provided to nursing facility residents, these services should be provided in a manner that maintains resident dignity, safety, and the highest level of functioning.

TRANSPORTATION SERVICES

SERVICES INCLUDED IN THE PER DIEM RATE

Nursing facility providers who had transportation services included in their base year rate are obligated to continue providing transportation services to residents *at the expense of the facility* (not considered special services in this case), unless or until such time as the nursing facility discontinues providing these services by giving *all* residents of the nursing facility and their family or responsible party, 30 days prior written notice of the discontinuation of this service. A copy of this notice should be “cc’d” to the MN Department of Human Services (DHS) and the Office of Ombudsman for Older Minnesotans (refer to Attachment A for a sample notice).

SERVICES EXCLUDED FROM THE PER DIEM RATE

Nursing facility providers who did not have transportation services included in their base year rate are not obligated to pay for resident medical transport services.

ALL NURSING FACILITY PROVIDERS

However in ***either of the above scenarios***, the nursing facility has a responsibility to ensure that residents receive necessary medical care and treatment, and that which is needed to fulfill the resident’s plan of care. The nursing facility is also obligated to ensure that the resident obtains the services needed for the resident to attain or maintain the highest practicable physical, mental, and psychosocial well-being. These obligations *cannot* be met without ensuring the resident receives needed care and treatment, and the failure to assist the resident in getting this care may result in a citation being issued to the nursing facility under federal and/or state enforcement regulations.

In some cases, the care and treatment of the resident may be provided within the facility, such as when a doctor or dentist will visit the facility. However, if this is not possible, the nursing facility is responsible for “assisting” the resident in finding transportation services. This assistance may include, but is *not* limited to:

- placing telephone calls,
- locating transportation providers,
- providing support in the billing process, and
- facility provided transportation services (refer to section on NF provision of services).

MEDICAID (MA) SPECIAL TRANSPORTATION SERVICES

Under Minnesota Medical Assistance (MA or Medicaid), nursing facility residents are automatically eligible for special medical transportation or special transportation services (STS). This means nursing facility residents do not need to undergo the “level of need” certification normally required of Medicaid recipients, in order to access special medical transportation services. Enrolled special medical transportation providers can bill MA for special medical transportation services for nursing facility residents without this certification. Special medical transportation services include non-stretcher special medical transport trips (pick up and delivery), including driver-assisted services (such as wheelchair assists). However, these services are covered only when the transportation is provided by special transport providers that are certified by MN/DOT and enrolled with Minnesota Health Care Programs (MHCP). To locate authorized special transportation providers in your area, contact the MN Department of Human Services (DHS) provider enrollment unit at (651) 431-7462.

For MA recipients residing in nursing facilities and who are enrolled in a health plan through MA, the nursing facility may be able to access medical transportation services on behalf of the resident, through the enrollee’s health plan (refer to Attachment B for a list of managed care (health plan) transportation service contact numbers for Minnesota Health Care Program (MHCP) enrollees).

ESCORT SERVICES

Minnesota Medicaid (MA) does not cover payment for escorts or attendants for special medical transportation trips, with the exception of stretcher medical transportation.

Nursing facilities however, have an obligation to protect residents, and to provide for their well-being and safeguard them against harm and accidents. Each resident must receive adequate supervision and assistance devices to prevent accidents. In addition, the facility is also obligated to ensure the resident obtains the services needed for the resident to attain or maintain the highest practicable physical, mental, and psychosocial well-being.

Nursing facilities *must* ensure that residents are able to safely access and receive all necessary medical services. Facilities must help to arrange for escorts or attendants to accompany residents to medical appointments, when needed. Several options may be used, including but *not* limited to:

- trying to arrange for care in the facility,
- contacting a resident’s family or responsible party to provide an escort,
- enlisting the assistance of trained volunteers to escort residents to appointments,
- contacting the county social service vulnerable adults section to either provide or assist in locating an escort, and
- facility provided escorts (refer to the next section).

Under ***no*** circumstances is it acceptable for a nursing facility to send an unaccompanied resident to an appointment if the resident is not coherent or fully cognizant, or is suffering from dementia or any other condition which impairs the resident's ability to conduct themselves safely. It is also ***not*** acceptable to affix name tags or other identifying information on a resident's body as a means of identifying the resident. If the resident is unable to identify themselves and where they currently reside, and display competent self-preservation skills, the resident should not be traveling unescorted. Both of these circumstances may constitute negligence on the part of a nursing facility and may result in a violation or citation of federal and/or state enforcement regulations.

NF PROVISION OF TRANSPORT AND/OR ESCORT SERVICES

Both transportation and escort services *may* be provided by the nursing facility. Because these services are outside those normally included under the MA per diem rate, they *may* be considered special services and are therefore subject to the special services/equalization provisions of state law. Nursing facilities providing these special services directly ***must*** comply with the following conditions:

- Notify residents/responsible parties of the availability of these special services and the applicable charges,*
- Offer these services to all residents of the facility, regardless of payor source, and
- Offer these services at the same rate to all residents of the facility.

*(notification should take place upon admission, when there are changes in services or charges, and in advance of the resident receiving these special services)

TRANSPORTATION OFFERED BY THE NURSING FACILITY – MA RESIDENTS

NF providers may offer and bill MA for special medical transportation services provided to MA residents, by enrolling as a Minnesota Health Care Programs (MHCP) medical transportation provider. To find out how to become an enrolled medical transportation provider, including procedures and forms; contact DHS Provider Enrollment at (651) 431-3196.

A nursing facility that offers transportation services but does not wish to become a MA enrolled medical transportation provider, is still obligated to offer those services to MA residents (a requirement of the special services statute). However, the nursing facility should notify the resident and/or representative of the applicable charges in advance, and inform them that it is not in the best interests of the resident to use nursing facility-provided transportation, since the resident can access transportation services free of charge through an MA-enrolled provider. Medical transportation charges may be posted to a resident's nursing facility account *only* when the above conditions have been met and documented (essentially the resident/responsible party is aware that the resident can access free transport through another provider and still makes a *specific request* for the services to be provided by the nursing facility).

TRANSPORTATION OFFERED BY THE NURSING FACILITY – NON-MA RESIDENTS

The nursing facility may offer medical transportation services to non-MA residents without being a MA enrolled transportation provider. However, to comply with the equalization/special services statute, all the conditions listed on page 4 of this bulletin must be met.

ESCORT SERVICES PROVIDED BY THE NURSING FACILITY

NF providers may offer and bill residents for escort services to/from medical appointments, when needed or requested for the health and safety of the resident, at a reasonable charge - subject to the special services/equalization provisions listed previously above. Stretcher escort services for MA residents should be arranged for through an MA enrolled provider service (i.e. ambulance services), since these are a covered service under MA.

MEDICARE TRANSPORTATION POLICIES

Currently, Medicare provides benefit coverage only for medically necessary emergency transportation services (escorted ambulance services).

SUMMARY

Under all circumstances and payor sources, the nursing facility is obligated to “arrange for” medical transportation and/or escort services for *all* residents, and to do so in a manner that is consistent with the *best interests of the resident* (i.e. health, safety, lowest cost provider, etc.).

If the nursing facility has exhausted all other resident options for services referenced earlier in this bulletin (i.e. the nursing facility cannot locate transport and/or escort services), the nursing facility remains responsible to provide those transportation and escort services necessary to ensure residents receive medically necessary care and services. The nursing facility may charge for the services, although these special services are subject to rate equalization and all other applicable laws.

LEGAL BASIS

42 CFR §483.15

42 CFR §483.20

42 CFR §483.25

Minnesota Statutes, section 256B.48

SPECIAL NEEDS STATEMENT

This information is available in other forms to people with disabilities by contacting us at (651) 431-2262 (voice). TDD users can call the Minnesota Relay at 711 or (800) 627-3529. For the Speech-to-Speech Relay, call (877) 627-3848.

(Sample Notice)

NOTICE OF DISCONTINUATION OF TRANSPORTATION SERVICES

September 23, 2008

John Q. Public
Mainstreet Care Home
123 Mainstreet
Main, MN 55100

Dear John Q. Public and Family,

This letter is to inform you that *Mainstreet Home* will discontinue providing individual medical transportation services for residents to and from medical appointments as part of your daily nursing home rate. This change will take effect (minimum 30 days advance notice).

Effective this date, residents and families should make other arrangements for transport to and from medical appointments and other medical services. [Note: *In circumstances where the facility will continue to offer transport services at a charge, insert:* Residents may access facility-provided transportation services as a special service, for a separate charge. Information on available services and applicable charges is enclosed].

For those residents on Minnesota Medical Assistance (otherwise known as Medicaid or MA), under most circumstances, these services are covered under MA. There are a variety of MA-authorized medical transport providers in this area. Also, if you are enrolled in a health plan through MA, your health plan provider may offer medical transport services for members.

Mainstreet staff will gladly assist you in locating an authorized medical transportation provider and in arranging for transport services. Please feel free to contact me with any questions.

Sincerely,

Mary Smith, Administrator
(612) 555-5555

cc: MN Department of Human Services – ATTN: Munna Yasiri
cc: Office of Ombudsman for Older Minnesotans – ATTN: Deb Holtz

Managed Care Organizations - Transportation Requests

Blue Plus	Special Transportation: Call BlueRide 651-662-8648 or 1-866-340-8648 (toll-free) Common Carrier: Call BlueRide 651-662-8648 or 1-866-340-8648 (toll-free)
First Plan of Minnesota	Special Transportation: Call Member Services Senior Line 1-877-736-5518 Common Carrier: Call Member Services Senior Line 1-877-736-5518
HealthPartners	Special Transportation: Call Ride Care at 952-883-7400 or 1-800-288-1439(toll-free) for all age groups Common Carrier: Call Ride Care at 952-883-7400 or 1-800-288-1439(toll-free) for all age groups
Itasca Medical Care	Special Transportation: Call authorization line at 218-327-5516 or 218-327-5518 Common Carrier: Call Rapids Transit at 218-327-8294 or 1-888-568-8294 (toll-free) for all age groups
Medica	Special Transportation: Call the network provider directly after 'Certificate of Need' for STS is on file with Medica. Members call Member Services at 952-992-2322 or 1-800-373-8335 (toll-free) with questions. Providers call Provider Services at 1-800-458-5512 with questions. Common Carrier: Call Provide-A-Ride at 952-992-2292 or 1-800-601-1805 (toll-free)
Metropolitan Health Plan	Special Transportation: MSHO enrollees call the Senior Line at 1-888-562-8000. MSC and MSC+ enrollees call Member Services at 1-800-647-0550. If facilities have questions they should call Provider Services at 1-877-620-9090. Common Carrier: Same as above.
PrimeWest Health	Special Transportation: Members can call provider directly to arrange. Members with questions contact Member Services (Seniors 1-866-8366-2906; SNBC 1-877-600-4913). Care facilities call Provider Relations at 1-866-431-0802 with any questions. Common Carrier: This is arranged by the county staff for PrimeWest members. Call the County main number and ask for assistance.
South Country Health Alliance	Special Transportation: Member or facility should call the member's county financial worker to assist in arranging the transportation. Common Carrier: Member or facility should call their county financial worker to arrange transportation. Questions? For MSHO call Senior Line at 1-866-477-1601. For MSC+ call 1-866-567-7242
UCare Minnesota	Special Transportation: Call the network provider directly. Members who need assistance with choosing a provider call HealthRide (below) Facilities call Provider Relations at 612-676-3300 or 1-888-531-1493 (toll-free) with question Common Carrier: Call HealthRide at 612-676-6830 or 1-800-864-2157 (toll-free).