

116TH CONGRESS
1ST SESSION

H. R. 3935

To amend title XIX of the Social Security Act to provide for the continuing requirement of Medicaid coverage of nonemergency transportation to medically necessary services.

IN THE HOUSE OF REPRESENTATIVES

JULY 24, 2019

Mr. CARTER of Georgia (for himself, Mr. CÁRDENAS, Mr. GRAVES of Georgia, and Mr. BISHOP of Georgia) introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To amend title XIX of the Social Security Act to provide for the continuing requirement of Medicaid coverage of nonemergency transportation to medically necessary services.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Protecting Patients
5 Transportation to Care Act”.

1 **SEC. 2. CONTINUING REQUIREMENT OF MEDICAID COV-**
2 **ERAGE OF NONEMERGENCY TRANSPOR-**
3 **TATION TO MEDICALLY NECESSARY SERV-**
4 **ICES.**

5 (a) REQUIREMENT.—Section 1902(a)(10) of the So-
6 cial Security Act (42 U.S.C. 1396a(a)(10)) is amended—

7 (1) in subparagraph (A), in the matter pre-
8 ceding clause (i), by striking “and (21)” and insert-
9 ing “, (21), and (30)”; and

10 (2) in subparagraph (C)(iv), by striking “and
11 (17)” and inserting “, (17), and (30)”.

12 (b) DESCRIPTION OF SERVICES.—Section 1905 of
13 such Act (42 U.S.C. 1396d) is amended—

14 (1) in subsection (a)—

15 (A) in paragraph (29), by striking “and”
16 at the end;

17 (B) by redesignating paragraph (30) as
18 paragraph (31) and by striking the comma at
19 the end and inserting a semicolon; and

20 (C) by inserting after paragraph (29) the
21 following new paragraph:

22 “(30) subject to subsection (ff), nonemergency
23 transportation to medically necessary services, con-
24 sistent with the requirement of section 431.53 of
25 title 42, Code of Federal Regulations, as in effect as
26 of June 1, 2019; and”; and

1 (2) by adding at the end the following new sub-
2 section:

3 “(ff) NONEMERGENCY TRANSPORTATION TO MEDI-
4 CALLY NECESSARY SERVICES.—

5 “(1) LIMITATION ON FEDERAL FINANCIAL PAR-
6 TICIPATION.—Notwithstanding any other provision
7 of this title, to be eligible for federal financial par-
8 ticipation under this title for expenses incurred as
9 medical assistance or as an administrative expense
10 for nonemergency transportation to medically nec-
11 essary services described in subsection (a)(30), the
12 State Medicaid agency of such State must have in
13 place a prior authorization or utilization manage-
14 ment requirement for such services.

15 “(2) PRIOR AUTHORIZATION DEFINED.—For
16 purposes of paragraph (1), the term ‘prior author-
17 ization’ means a process through which a request for
18 provisional affirmation of coverage is submitted for
19 review before the service involved is furnished and
20 before a claim is submitted for payment for such
21 service.”.

22 (c) EFFECTIVE DATE.—The amendments made by
23 this section shall take effect on the date of the enactment

1 of this Act and shall apply to transportation on or after
2 such date.

