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February 1, 2024

Senator Joseph Baldacci, Chair
Representative Michele Meyer, Chair
Members, Joint Standing Committee on Health and Human Services
100 State House Station
Augusta, ME 04333-0100

Re: LD 2128 – *“An Act Regarding Nonemergency Transportation for MaineCare Members”*

Senator Baldacci, Representative Meyer, and members of the Joint Standing Committee on Health and Human Services:

Thank you for the opportunity to provide information in opposition of LD 2128, *“An Act Regarding Nonemergency Transportation for MaineCare Members.”*

This bill provides that a MaineCare member using MaineCare-contracted nonemergency transportation services to travel to a MaineCare-reimbursable appointment may elect to have one adult accompany the MaineCare member while traveling. It directs the Department to amend its rules to require MaineCare contracts with providers of nonemergency transportation to include provisions allowing one adult to accompany a MaineCare member to a MaineCare-reimbursable appointment.

MaineCare already allows for escorts to ride with MaineCare members in certain situations. For example, it is allowable for an adult escort to accompany a minor or a member of any age receiving waiver services who needs support during transport. Policy also provides the Department some discretion on the need for a companion/escort. From Chapter 113, Section 113.06-13 of the MaineCare Benefits Manual:

The Broker(s) must allow, without charge to the Escort, Member, or the Department, one (1) Escort to accompany a Member or group of Members who are blind, deaf, have an intellectual disability, have Autism Spectrum Disorder, have a brain injury, are less than 21 years of age, or as otherwise determined by the Department staff as needing an Escort, to a covered service.

If a MaineCare member requests an escort for reasons other than those explicitly stated in policy, we require a letter of medical necessity or Department pre-approval to demonstrate the need for an escort. For example, we have had instances where MaineCare members request that a friend or partner accompany the MaineCare member on trips for no reason other than they want to travel with someone known to them. We deny these requests unless there is a letter of medical necessity as determined by a medical professional or unless the Department pre-approves based

on some compelling need. If a member needs to be accompanied, MaineCare has the flexibility to allow that per existing policy.

Given the existing driver shortage, if MaineCare allowed others to accompany a MaineCare member for all non-emergency transportation without the guardrails currently in place, we would lose substantial transportation capacity to the detriment of those that need rides to MaineCare-covered services.

This change could negatively impact MaineCare members who need medically necessary transportation services as it would add further demand to an already stressed NET system. Some number of MaineCare members would not receive rides because rides would be provided to persons not needing a MaineCare covered service. It would also likely require MaineCare rulemaking.

If you have any questions, please feel free to contact me.

Sincerely,

Roger Bondeson

Roger Bondeson
Director, Division of Operations
Office of MaineCare Services
Maine Department of Health and Human Services