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www.oregon.gov/OHA/HSD**Date:** August 11, 2023**To:** Fee-for-service (FFS) and coordinated care organizations (CCO) non-emergent medical transportation (NEMT) brokerages and providers**Cc:** CCOs**From:** Dave Inbody, CCO Operations director
Nathan Roberts, Medicaid Programs Unit manager**Subject:** Extending NEMT brokerage flexibility to use private commercial transportation options beyond the Public Health Emergency (PHE)

During the COVID-19 public health emergency, brokerages could allow Oregon Medicaid members to use private commercial transportation options, including taxicab companies and transportation network companies (TNCs) like Uber and Lyft. If their brokerage chooses to pursue this option, members can hail rides from these services and request reimbursement directly from the brokerage.

Previously, the Oregon Health Authority (OHA) had extended this flexibility for 90 days post the end of the PHE and until August 10th, 2023. The OHA is extending this allowance until September 30th, 2023, with a plan to finalize permanent guidance on the use of TNCs within this period.

Why is this happening?

The Oregon Health Authority (OHA) recognizes the challenges provider networks have faced due to COVID19's direct impacts on drivers' availability to provide rides to Medicaid members. The Centers for Medicare & Medicaid Services (CMS) confirmed that OHA has the authority for client reimbursements for taxicab and TNC rides under [Attachment 3.1-D](#) (Assurance of Transportation) of Oregon's Medicaid State Plan. As NEMT provider networks continue to experience fragility and untimely reliability, continuing to have these added options for NEMT will provide support to NEMT provider networks in Oregon.

What should you do?

In accordance with the long-standing requirement of arranging for the least costly, most appropriate mode of transportation, the brokerage should:

- Screen members for primary options, including driving themselves, or having family members drive them.
- Explain to members that they can use a taxicab or TNC in case their NEMT needs could not be met timely.
- Verify that the appointment is for a Medicaid-covered service.
- Approve the member to hail the TNC or taxicab, if that option is the least costly, most appropriate mode of transportation available.
- Explain to the member that after taking the ride, they should submit receipts and other necessary paperwork to the brokerage to request reimbursement as outlined in [Oregon Administrative Rule \(OAR\) 410-136-3240\(2\)](#) and [OAR 410-141-3960\(4\)](#).

- Reimburse members for these rides, following the same process used for client gas reimbursement.
- Alternatively, the brokerage is encouraged to directly arrange and pay for the taxicab or TNC ride instead of requiring member reimbursement.

Questions?

- **FFS brokerages:** Please contact [Michelle Meuwissen](#), Operations and Policy Analyst (541) 551-4973
- **CCO brokerages:** Please contact [the member's CCO](#).

Thank you for your continued support of the Oregon Health Plan and the services you provide to our members.