

Local County and Tribal Agency Biennial Health Care Access Services Plan

Effective: January 1, 2024, through December 31, 2025

Morrison County Health and Human Services, 213 1st Ave SE, Little Falls MN 56345	
Person Responsible for Development of the Health Care Access Services Biennial Plan: Income Maintenance Supervisors	Agency Telephone Number: (320) 632-7800 or (800) 269-2464
Person Responsible for Coordination of Health Care Non-Emergency Medical Transportation and Related Ancillary Services: Amy Waldvogel Cyndi Bachan	Telephone Number: 320-632-0221 320-632-0214

General Purpose Statement

To ensure that applicants/recipients of Medical Assistance (MA), and MinnesotaCare pregnant women and children under 21 years of age are provided with or reimbursed for the appropriate level of needed transportation and other travel related expenses to enable them to access necessary medical treatment. County and tribal local agency non- emergency medical transportation (NEMT) services are available to transport the recipient to and from medically necessary services received from participating providers of services covered under the MA and MinnesotaCare programs.

Transportation to non-participating health care providers shall also be paid under this plan if:

- ♦ the medically necessary service is covered under the MA state plan; and
- ♦ the non-participating medical/dental provider could be a participating provider if application was made; and
- ♦ the transport results in the proper, efficient, and cost-effective administration of Minnesota Health Care Programs services.

Cost Effectiveness

1. Per Federal Regulations, transportation for each trip made by a recipient must be by the most cost effective means available that meets the needs of the recipient.
2. Morrison County Health and Human Services shall direct recipients to utilize all available sources of free transportation services (such as relatives, friends, other public options if available) if it meets the needs of the recipient.
3. The next most cost-effective means of transportation under this plan is transport by the recipient's private vehicle or public transportation (MorrTrans).
4. Reimbursement will not be made to a recipient or other person if the mode of transportation used or related travel expenses are furnished at no cost to the recipient, such as transportation provided by health care plans.
5. Reimbursement will not be made for trips/mileage traveled without a recipient in the vehicle (no load miles). Morrison County may choose to pay its volunteer drivers for no load miles out of county funds at the discretion of the board of commissioners.

6. The income maintenance unit of Morrison County Health and Human Services (MCHHS) will review all transportation requests to determine if the recipient is utilizing the provider closest to their home. The closest provider and the mileage will be determined by using [google maps](#). If the closest provider was not claimed, the income maintenance unit will reduce the amount of mileage reimbursed based on [google maps](#) information.
7. Transport for a covered medical service obtained from a specialty care provider is limited to 60 miles from the recipient's home/residence for local county/tribal agency and state administered NEMT. Prior authorization to exceed the 30- or 60-mile transport limits for all NEMT must:
 - a. Be requested by the MHCP recipient for review by the local agency.
 - b. Be authorized or denied by the county or tribal local agency.
 - c. Be based on medical necessity with no other provider capable of providing the level of care needed closer than the requested destination provider location, and
 - d. Must be documented and documentation maintained as part of the transportation record by the local county or tribal agency.
8. For recipients requesting a volunteer driver, the income maintenance unit will check with the recipient to see if they have access to a more cost-effective option (their own vehicle, a friend or relative we can reimburse). The agency will take into consideration if a client is not able to drive due to a health condition such as anxiety. If no other transportation is available, the worker will request a volunteer driver to the closest provider capable of providing the level of care needed. The agency contracted for our volunteer driver program will determine if public transportation will be utilized or a volunteer driver. Public transportation will be used whenever it is available.
 - ◆ Members who can travel by public transport must use public transport. The transportation coordinator determines the type of ticket or pass for the member by determining how many rides the member requires during a fixed period. Members whose needs are met by public transit may receive a monthly public transit pass.
 - ◆ Any member who is eligible for one public transit trip for a medically necessary covered service may select to receive a transit pass for that month. Members who do not have any transportation needs in any given month, or who have received a transit pass from another program administered by a county or tribe, are not eligible for a transit pass that month.
 - ◆ Counties or tribes cannot require members to select a monthly transit pass if public transit does not meet the member's needs. Members who receive a monthly transit pass are not eligible for other modes of transportation, unless an unexpected need arises that the member cannot access through public transit.
9. Reimbursement will not be made for trips/mileage traveled without a recipient in the vehicle (no load miles).

Part I. Transportation and Related Travel Costs

Recipients/applicants must use the most cost-effective method of transportation available to them. Whenever appropriate, the recipient's own vehicle must be used.

A. Services available

for recipients receiving medical care from a MA enrolled or another appropriate non-enrolled medical/dental provider:

1. Mileage reimbursement:
 - 22 cents per loaded (recipient in the vehicle) mile when transported in a vehicle provided by an individual including but not limited to a family member, self, neighbor, etc. or other individual with vested interest. Billing code "A0090".
 - Reimbursement for personal mileage includes a possible Rural Urban Commuting Area (RUCA) add-on adjustment based on the client's residence zip code as rural or super rural and the transport distance from origination (pick-up) to destination (drop off) locations (one way distances of 1 to 17 miles + 25%, 18 to 50 miles +12.5%, and 51 miles or more no RUCA adjustment is applied. The local agency must calculate all personal mileage RUCA add-on adjustments using the same criteria and process for all individuals.
 - Up to 100 percent of the IRS Business Mileage deduction rate effective for the date of- service (DOS) for non-emergency transportation using a vehicle provided by a **volunteer driver** (individual or organization) with no vested interest (billing code "A0080") and for **licensed foster parents** (billing code/modifier "A0090 UC").
 - Reimbursement for personal mileage of the licensed foster parent and volunteer driver includes a possible RUCA add-on adjustment based on the client's residence zip code as rural or super rural and the distance from origination (pick-up) to destination (drop off) locations. For one-way transport distances of 1 to 17 miles + 25%, 18 to 50 miles + 12.5% and for distances in excess of 50 miles no RUCA adjustment is applied.
 - The local agency must calculate all licensed foster parent personal mileage and volunteer driver mileage RUCA add-on adjustments using the same criteria and process for all individuals.
 - A new nonemergency medical transportation fuel adjuster begins Jan. 1, 2024. The percentage of the rate increase or decrease is adjusted on the first day of each quarter with a gasoline price of \$3 per gallon as posted publicly by the United States Energy Information Administration. Managed care organizations (MCOs) must also provide a fuel adjustment when fuel exceeds \$3 per gallon.
 - The transportation reimbursement rate has increased for nonemergency medical transportation for modes 3-5 (see [Definitions](#)). See the **summary table** below for the expected rate changes:

Nonemergency Medical Transportation	Base Rate	Per Mile		
		Old	New	
Unassisted Transport (Public Transit)	\$ 11.00	\$ 12.10	\$ 1.30	\$ 1.43
Assisted Transport	\$ 13.00	\$ 14.30	\$ 1.30	\$ 1.43
Lift-equipped/ramp transport	\$ 18.00	\$ 19.80	\$ 1.55	\$ 1.70

2. Parking fees and tolls are reimbursed at actual cost (billing code "A0170"). Receipts are required when available to the recipient.
3. Reimburse volunteer drivers at the MHCP/DHS maximum reimbursement rate, up to 100% of the IRS business deduction rate in place on the DOS.
4. Unassisted Transport including bus/light rail (billing code "A0110" or monthly pass "A0110 U7") and other commercial carrier fares such as air travel (billing code "A0140") are reimbursed the standard rider fare of the transportation provider. Reimbursement is considered "at cost" with reduction for excluded costs related to transportation.
 - ♦ Reimbursement for the "standard fare" transports DO NOT include a possible RUCA add-on adjustment
5. Unassisted Transport (billing code A0100) is reimbursed the standard rider fare or the MHCP allowable, whichever is less.
 - ♦ Reimbursement for unassisted transport (A0100) **curb-to-curb transports** includes a possible RUCA add-on adjustment for the base (pick-up) service code based on the client's residence zip code classification as super rural.
 - ♦ The RUCA add-on adjustment for transport base service charges is 11.3%.
 - ♦ Reimbursement for unassisted transports includes a possible RUCA add-on adjustment for mileage (S0215) based on the client's residence zip code as rural or super rural and the distance from origination (pick-up) to destination (drop-off) locations. For one way transport distances of 1 to 17 miles + 25%, 18 to 50 miles + 12.5% and for distances in excess of 50 miles no RUCA adjustment is applied.
6. Assisted Transport includes **door-to-door and door-thru-door ambulatory transports** where the client has been certified by the MHCP/DHS medical review agent as requiring this level of transport.
 - ♦ Reimbursement for assisted transports includes a RUCA adjustment for the base (pick- up) service code (T2003) based on the client's residence zip code as super rural.
 - ♦ The RUCA add-on adjustment for transport base service charges is 11.3%.
 - ♦ Reimbursement for assisted transports includes a RUCA adjustment for mileage (S0215) based on the client's residence zip code as rural or super rural and the distance from origination to destination locations. For one-way transport distances of 1 to 17 miles + 25%, 18 to 50 miles + 12.5%, and distances more than 50 miles no RUCA adjustment is applied.
- ♦ Meals: The maximum reimbursement for meals (Billing code "A0190") is:
 - ♦ Breakfast - \$5.50; Must be in transit or at the medical appointment prior to 6:00 AM
 - ♦ Lunch - \$6.50; Must be in transit or at the medical appointment 11:00 AM to 1:00PM
 - ♦ Dinner - \$8.00 Must be in transit or at the medical appointment after 7:00 PM
 - ♦ Time taken to "eat the meal" is not part of "travel time" consideration.
 - ♦ Morrison County Human Services will only approve ancillary services (meals) when the appointment is more than 35 miles from the recipient's home.
7. Lodging: exceeding \$50.00 per night **Requires prior authorization to in order to be reimbursed.** Unless a higher rate is prior authorized by the local county/tribal agency (billing code "A0180"). For clients to be eligible for meal reimbursement the provider must be at least 30 miles from client's home and 75 miles to be eligible for lodging reimbursement.

8. When another individual is necessary to accompany the recipient or to be present at the site of a health service to make health care decisions, the accompanying individual will be reimbursed for the cost of meals, transportation, and lodging at the same standard as the recipient. Reimbursement may be made for more than one person if required by the health care provider's written treatment plan.
9. Transportation and other related travel expenses of family members of recipients in covered treatment programs, such as mental health, if the family member's involvement is part of the recipient's written treatment plan.
10. If the recipient had travel and ancillary service expenses and is later found to be MHCP eligible (could include up to three retroactive MA months), they may be eligible for reimbursement of allowed transportation and ancillary services at the reimbursement rates appropriate for the DOS as indicated in this plan.
11. Transportation and related travel expenses to out-of-state medically necessary services requires prior authorization by the county/tribe local agency for the fee-for-service (FFS) (straight MA) recipients.
 - Transport and related ancillary services are only provided or reimbursed when the fee- for-service out-of-state medical service has been authorized by the DHS contracted medical review agent. Out-of-state services are medically necessary services obtained at a provider/facility location that is outside of Minnesota or its local trade area. NEMT transports and related ancillary services are provided to the recipient and when necessary one responsible person and/or attendant.
 - Transportation and other related travel expenses to out-of-state medically necessary services require prior authorization/referral of the medical service(s) by the Health Plan for recipients enrolled in a health plan. Transport and related ancillary services are only provided or reimbursed when the out-of-state medical service has been authorized by the health plan.
 - Counties/tribal local agencies are responsible for all out-of-state NEMT transports and related ancillary services for transport Modes 1 thru 4.

B. Procedures to Obtain Services

1. Authorization to incur NEMT and related ancillary service costs may be arranged in writing, by telephone or online depending upon the specific county/tribal agency process established. Documentation of authorization of NEMT and related ancillary services must be maintained. Prior authorization to incur transport and ancillary service costs from the county/tribe is required for or when:
 - Lodging and meal expenses for an MA recipient and/or responsible person accompanying the MA recipient
 - The local county/tribal agency has determined transportation and ancillary services have been misused. Example: An able-bodied individual living at a location with access to a public bus route uses a taxicab rather than the bus to access medical services available by bus transport.
 - Transportation and related costs are necessary for the recipient to receive DHS fee-for- service contracted reviewer or health plan authorized out-of-state medically necessary services.
2. NEMT transport services to the primary care provider within **30 miles** of the client's residence and **60 miles** from the client's residence for specialty care DOES require prior authorization by Morrison County Health and Human Services to incur the transportation service cost(s). The local county or tribal agencies are not responsible for MCO enrollee transport or ancillary services beyond the 30-mile primary care or 60-mile specialty care limits without MCO approval to exceed those distances based on medical necessity.

3. Up to 100 percent of the IRS mileage rate allowed for business expenses is the mileage reimbursement rate paid to county or tribal recognized volunteer drivers and licensed foster parents. This rate may change with each and during the tax year. Counties or tribes will be notified if there are changes in the rate during the term of this access plan.

C. Emergency Needs Procedure

Authorization to incur NEMT and related ancillary service costs is not required in emergency situations. In an emergency situation, recipients/applicants must secure transportation and related ancillary services using the most cost effective and medically appropriate transportation and ancillary services. Recipients/applicants are required to notify Morrison County Health and Human Services immediately after the emergency for consideration of reimbursement of the expenses. Transportation and related ancillary service costs that would otherwise require receipts for reimbursements do apply in the emergency situations.

D. Billing and Payment Procedures

1. Providers of transportation and other travel-related services must submit bills for services to Morrison County Health and Human Services for payment. The bill should include date of service, origination (pick-up) and destination (drop-off) points, and mileage by the most direct route. Transport must be to a covered service for the bill to be paid under this plan.
2. Recipients and other persons eligible for reimbursement for costs of transportation and other related services shall submit to Morrison County Health and Human Services actual receipts, when available, or signed, dated, and itemized statements of mileage and/or other allowed expenses.
3. All bills will be paid by Morrison County within 60 calendar days of receipt. Eligibility workers may choose to provide a recipient with a voucher for transportation or other travel-related service.
4. Morrison County Health and Human Services uses google maps as verification of the actual mileage. The shortest distance is selected. If claims are submitted for excess mileage, the financial assistance unit will reduce the amount of mileage reimbursed based on the distance indicated on google maps.

E. Service Restrictions

1. Payment shall be made for the most cost-effective available means of transportation which is suitable to the recipient's medical needs. As mentioned in Section I.B., prior authorization to incur costs of transportation and other related travel expenses may be required except when there is an emergency or in cases of retroactive eligibility.
2. Enrollees who can travel by public transport must use public transport. The transportation coordinator determines the type of ticket or pass the enrollee is eligible for based on how many rides the enrollee needs during a fixed period. Enrollees whose needs are met by public transit may receive a monthly public transit pass.
 - o Any enrollee who is eligible for one public transit trip for a medically necessary covered service has the option to receive a transit pass for that month. Enrollees who do not have any transportation needs in any given month, or who have received a transit pass from another county or tribe - administered program, are not eligible to receive a transit pass that month.
 - o Counties or tribes cannot require enrollees to select a monthly transit pass if public transit does not meet the enrollee's needs. Enrollees who receive a monthly transit pass are not eligible for other modes of transportation, unless an unexpected need arises that the enrollee cannot access through public transit

3. When the recipient requests reimbursement or to be transported to a medical facility that is not the closest provider capable of providing the level of care (or the distance specified for MCO enrollees) a provider waiver form will be required.
4. Mileage will only be reimbursed for the miles the recipient is actually in the vehicle. Exception: Morrison County is currently reimbursing Tri-CAP volunteer drivers to reach the pick-up point and their return from the drop-off point. This cost is an out-of-the pocket expense for Morrison County. This may be changed at any time by the Morrison County Board of Commissioners.
5. Morrison County Health and Human Services will not reimburse the recipient for transportation provided at no cost to the recipient.

Part II. ADA & Meaningful Access to Services

A. Services Available

Morrison County Social Services will provide interpreter services to Deaf, blind, hard of hearing and Deaf/blind persons, and individuals with Limited English Proficiency (LEP) who are seeking or receiving assistance from the county/tribal agency.

Morrison County Social Services will provide other assistance or services such as training, videos, information pamphlets or other services to individuals seeking or receiving assistance from Morrison County Social Services.

Medical Assistance (MA) or other service providers, regardless of size, shall provide interpreter services to Deaf, blind, hard of hearing and Deaf/blind persons, and individuals with LEP who are seeking or receiving assistance as soon as the Deaf, hard of hearing, Deaf/blind person or individual with LEP makes the request or the when the need is determined. If subsequent appointments are necessary, interpreter services also need to be arranged prior to appointment.

Providers must offer this service at no cost and in a timely manner to the recipient in accordance with State and Federal laws. This service only applies when interpretation is provided in conjunction with another covered service, is provided during the completion of the cash, food support, medical, or MnChoices eligibility or re-certification meetings with the applicant.

Interpreter services are not available for scheduling or arranging medical service appointments.

A. Authorization of Services

Authorization to incur a non-emergency medical transportation and related ancillary service cost may be arranged in writing, by telephone or online depending upon the specific county/tribal process established. Documentation of authorization of transportation and related ancillary services must be maintained.

Prior authorization to incur transportation and related ancillary services costs from the county/tribe is required for:

1. Lodging and meal expenses for an MA recipient and/or responsible person accompanying the MA recipient
2. When the agency has determined transportation and ancillary services have been misused.
Example: An able-bodied individual living at a location with access to a public bus route uses a taxicab rather than the bus to access medical services available by bus transport.
3. Transportation and related costs to receive DHS contracted reviewer or health plan authorized out-of-state medically necessary services.

County and tribal local agency administered and State administered non-emergency medical transportation (NEMT) and related ancillary services for the MA fee-for service recipient is limited to a Primary Care Provider within 30 miles of the recipient's home and Specialty Care Provider within 60 miles of the recipient's home. All fee-for-service NEMT transports and related ancillary services beyond the respective 30/60 mile distances REQUIRE prior authorization by Morrison County Social Services. Authorization is based on medical necessity and having no provider capable of providing the level of care needed within the mileage limits or a provider closer than the provider location requested.

For the MA fee-for-service recipient, authorization for state administered non-emergency medical transportation and related ancillary service beyond the respective 30 or 60 mile distances must be obtained by the recipient from the local county/tribal agency. Authorization is based on medical necessity and having no provider capable of providing the level of care needed within the mileage limits or a provider closer than the provider location requested.

Health Plan recipients must access primary care services from a provider within 30 miles of their residence and specialty care services within 60 miles of their residence. Authorization for transport and related ancillary services provided and reimbursed by the county or tribal local agency to a provider location exceeding the respective distances, must be obtained by the recipient from the local county/tribal agency. Prior authorization is based on referral by the health plan for the recipient to access covered medical services from the provider at the specific location requested.

B. Emergency Needs Procedure

Prior authorization to incur NEMT and related ancillary services costs is not required for emergency situations. In emergency situations, recipients/applicants must secure transportation and related expenses, using the most cost effective and medically appropriate transportation method and related ancillary services. Recipients/applicants are required to notify the local county or tribal agency immediately after the emergency to secure consideration of reimbursement for the expenses. Appropriate receipts are required.

C. Billing and Payment Procedures

Morrison County Health and Human Services will negotiate fees with the referral agency or interpreter.

Morrison County Health and Human Services will pay the interpreter for the service and charge the expense to the MA administrative account for reimbursement purposes.

All bills will be paid by Morrison County Health and Human Services within 30 days of receipt.

D. Service Restrictions

1. Payment shall be made for the most cost-effective available means of transportation costs of transportation and other related travel expenses may be required except when there is an emergency or in cases of retroactive eligibility.
2. When the recipient's attending physician makes a referral or the recipient requests to be transported to a medical provider location that is not within the 30/60-mile transport limits, prior authorization by the county agency is required.
3. Reimbursements for meals will only be made for appointments outside a 30-mile radius and trip has been prior authorized by the county agency.
4. Lodging reimbursements will only be paid for medical appointments that are over 75 miles one way and require early morning appointment and are prior authorized by the county agency. Part IV. Access to Appeal Hearing Services

A. Services Available

1. Reimbursement for reasonable and necessary expenses of applicants/recipient's attendance at an appeal hearing, such as meals, lodging, parking, transportation, and childcare costs.
2. Assistance from Morrison County Social Services staff in locating transportation.

B. Procedures to Obtain Services

Applicants/recipients shall contact their worker at Morrison County Social Services if assistance in locating transportation or reimbursement for transportation and/or childcare expenses will be needed to ensure the applicants/recipient's attendance at an appeal hearing.

C. Billing and Payment Procedures

1. Transportation expenses will be reimbursed according to the same criteria established in Part I. Providers of transportation services must submit dated, itemized bills for service to Morrison County Social Services for payment. Applicants/recipients and other persons eligible for cost of transportation services shall submit to Morrison County Social Services actual receipts, when available, or signed, dated, and itemized statements of mileage. All bills will be paid by Morrison County Social Services within 30 days of Receipt. County/tribal staff may choose to provide a recipient with a voucher for transportation.
2. Childcare costs are reimbursable to the applicant/recipient for the time duration of the hearing, including travel to and from the childcare provider. Childcare will be reimbursed at the current "Child Care

Program" hourly rate. Morrison County Social Services will reimburse applicants/recipients directly for their transportation and/or childcare costs and then charge the expense to the MA Program administrative account for reimbursement.

D. Service Restrictions

Morrison County health and Human Services will not pay for childcare if services are provided at no charge to the applicant/recipient.

Part V. County Vouchers

1. What is the county's/tribe's plan for recipients who cannot afford to pay up-front for a bus pass or taxi?

Morrison County uses MorrTrans which is a public bus service that is utilized whenever it is the most cost-effective means of transportation. Clients do not have any up-front costs.

2. Do you provide bus passes or taxi vouchers to recipients? See above.

Part VI. Administration of Common Carrier

Do you contract for common carrier services? YES NO (select one)

If yes, please submit a copy of your 2024 through 2025 contract with your Access Plan documents to:

Diogo Reis
Minnesota Department of Human Services Purchasing
and Service Delivery Division 540 Cedar St
St. Paul, Minnesota 55164-0984
Email:diogo.reis@state.mn.us

Part VII. Notification to MA Recipients of Health Care Access Services

The local agency or tribe shall inform recipient of the Health Care Access transportation plan. Applicants must be informed of available services at the time of application and recertification. They must also be made aware of changes to the non-emergency medical transportation (NEMT) or related ancillary services benefits, reimbursements, coverage, policies and procedures made by the local agency, due to federal action, adjustments to state statute/rule or administrative decisions by the Minnesota Department of Human Services (DHS).

What is the process or procedures of the local agency for informing the recipients or responsible person of changes to the access plan, local agency processes, procedures, rates, documentation, etc. at times other than application and recertification?

Morrison County will send a copy of the Notice of Access Service Availability to clients who provide a voucher for transportation, meals, etc. if there is an update to the plan, change, etc. This will be done the month of the change.

A copy of the approved County Access Plan is posted on the Morrison County Social Services website.

What is the process of informing the recipient or responsible person of the access plan benefits and policies or procedures when eligibility is established through the MNSure process?

Applicants/Recipients will be sent a copy of the Notice of Access Service Availability at application and redetermination.

1. **Include with your Biennial Access Plan submission** a copy of all documents given to applicants and/or recipients informing them of NEMT and related ancillary service availability. Include the local agency version of "Attachments B – Notice to Recipients", "Attachment C – Trip/Expense Log/Report". Include other documents provided to the recipients/responsible person for access plan administration.

Part VIII. Other County/Tribe Specific Policies, Procedures and Conditions

What are the identified gaps, issues, and/or barriers for transportation services in your area?

Morrison County is a rural community. We do not have a running city bus service other than MorrTrans. We now do have Taxi service in Little Falls, but this does not help our rural community. Clients who feel uncomfortable driving their own vehicle if they have one and who also have issues with driving in a larger city.

What coordination efforts is the county/tribal agency involved in to provide transportation services to its members such as Regional Transportation Planning initiatives?

In the space below, please communicate any policies and procedures not covered in the Biennial Access Plan Bulletin and attachment documents that reflect county/tribal agency administration of Access Services.

Morrison County Social Services will only approve ancillary services (lodging) when the appointment is more than 75 miles from the recipient's home. Prior approval is required for these services.

Part IX. Outside Provider Contracting

Counties/tribes entering into a contract with an outside organization/provider for providing transportation service(s) or coordination activities for county/tribal administered NEMT provided to/for the MHCP recipient **MUST** submit to DHS:

1. A copy of the ALL contract(s) with outside entities related to county/tribal administered NEMT
2. A statement of the per trip rate(s) or administration fee paid to the provider/coordinator
3. Documentation to show how the rates for transport or administrative fees were established

Counties/tribes utilizing an outside provider/coordinate to provide access transportation or administration should not enter into such contracts and provide reimbursement until they have submitted their contract(s) to DHS for review of program policy and procedure consistency. Issues will be addressed.

X. HIPAA and Minnesota Data Privacy Act The Health Insurance Portability and Accountability Act (HIPAA) and the Minnesota Data Practices Act do not prohibit DHS or a county human services or tribal agency from entering into an agreement with a public transit system or a private transportation provider to transport human services recipients, provided that "reasonable precautions" are taken to protect individuals' privacy. HIPAA allows for limited "incidental uses and disclosures" of protected health information in circumstances where it would be impractical and inadvisable to completely eliminate such communication. HIPAA also requires "reasonable precautions" be undertaken to reduce or eliminate the possibility the information may be overheard or otherwise accessed. More information about incidental uses and disclosures and related "administrative requirements" can be found about HIPAA at 45 C.F.R. § 164.530(c). Federal regulations require providers to have their employees tested for drugs before allowing them to perform safety-sensitive duties (49 C.F.R. § 40.25). County/tribal agencies should take steps to ensure that providers complete driver requirements, including Internet computerized criminal history file background checks, drug testing, and driver history checks.

XI. Excluded Costs Related to Transportation Minnesota Rules, part 9505.0315, subpart 5, establishes the following related costs are not eligible for payment through the health care access plans:

- Transportation of a recipient to a hospital or other site of health services for detention ordered by a court or law enforcement agency unless ambulance service is a medical necessity.
- Transportation of a recipient to an alcohol detoxification facility when detoxification is not a medical necessity.
- No load transportation except for emergency ambulance transport services in specific situations.
- Additional charges for luggage, a stair carry of the recipient, and other airport, bus, or railroad terminal services.
- airport surcharges.

County/tribal local agencies should send contracts to:

Diogo Reis
Minnesota Department of Human Services
Purchasing and Service Delivery Division 540 Cedar St
St. Paul, Minnesota 55164-0984
Email: diogo.reis@state.mn.us
Fax: (651) 431-7420.

Part X. Upon 60 Day Notice, DHS May Terminate This Plan