



General Assembly

January Session, 2013

Raised Bill No. 6412

LCO No. 3113



Referred to Committee on HUMAN SERVICES

Introduced by:
(HS)

**AN ACT CONCERNING SAFE AND APPROPRIATE
TRANSPORTATION FOR NONAMBULATORY MEDICAID
RECIPIENTS.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 17b-276c of the general statutes is repealed and
2 the following is substituted in lieu thereof (*Effective from passage*):

3 [(a)] The Commissioner of Social Services shall only authorize
4 payment for the mode of transportation service that is medically
5 necessary for a recipient of assistance under a medical assistance
6 program administered by the Department of Social Services,
7 [Notwithstanding the provisions of this chapter and chapter 368d,]
8 provided the commissioner shall not authorize the use of a stretcher
9 van to transport a recipient who requires nonemergency transportation
10 and must be transported in a prone position but who does not require
11 medical services during transport, [may be transported in a stretcher
12 van. The commissioner shall establish rates for nonemergency
13 transportation provided by stretcher van.]

14 [(b) Notwithstanding the provisions of chapter 368d, the
15 Commissioner of Transportation, in consultation with the
16 Commissioner of Public Health, shall adopt regulations, in accordance
17 with chapter 54, to establish oversight of stretcher vans as a livery
18 service for which a permit is required. Such regulations shall prescribe
19 safety standards for stretcher vans, including, but not limited to, a
20 requirement that an attendant, in addition to the driver, accompany
21 any person transported in a stretcher van.]

22 Sec. 2. Subsection (a) of section 19a-180 of the general statutes is
23 repealed and the following is substituted in lieu thereof (*Effective from*
24 *passage*):

25 (a) No person shall operate any ambulance service, rescue service or
26 management service or otherwise transport a patient on a stretcher in a
27 motor vehicle without either a license or a certificate issued by the
28 commissioner. No person shall operate a commercial ambulance
29 service or commercial rescue service or a management service without
30 a license issued by the commissioner. A certificate shall be issued to
31 any volunteer or municipal ambulance service which shows proof
32 satisfactory to the commissioner that it meets the minimum standards
33 of the commissioner in the areas of training, equipment and personnel.
34 No license or certificate shall be issued to any volunteer, municipal or
35 commercial ambulance service, rescue service or management service,
36 as defined in subdivision (19) of section 19a-175, unless it meets the
37 requirements of subsection (e) of section 14-100a. Applicants for a
38 license shall use the forms prescribed by the commissioner and shall
39 submit such application to the commissioner accompanied by an
40 annual fee of two hundred dollars. In considering requests for
41 approval of permits for new or expanded emergency medical services
42 in any region, the commissioner shall consult with the Office of
43 Emergency Medical Services and the emergency medical services
44 council of such region and shall hold a public hearing to determine the
45 necessity for such services. Written notice of such hearing shall be
46 given to current providers in the geographic region where such new or

47 expanded services would be implemented, provided, any volunteer
48 ambulance service which elects not to levy charges for services
49 rendered under this chapter shall be exempt from the provisions
50 concerning requests for approval of permits for new or expanded
51 emergency medical services set forth in this subsection. A primary
52 service area responder that operates in the service area identified in the
53 application shall, upon request, be granted intervenor status with
54 opportunity for cross-examination. Each applicant for licensure shall
55 furnish proof of financial responsibility which the commissioner
56 deems sufficient to satisfy any claim. The commissioner may adopt
57 regulations, in accordance with the provisions of chapter 54, to
58 establish satisfactory kinds of coverage and limits of insurance for each
59 applicant for either licensure or certification. Until such regulations are
60 adopted, the following shall be the required limits for licensure: (1) For
61 damages by reason of personal injury to, or the death of, one person on
62 account of any accident, at least five hundred thousand dollars, and
63 more than one person on account of any accident, at least one million
64 dollars, (2) for damage to property at least fifty thousand dollars, and
65 (3) for malpractice in the care of one passenger at least two hundred
66 fifty thousand dollars, and for more than one passenger at least five
67 hundred thousand dollars. In lieu of the limits set forth in subdivisions
68 (1) to (3), inclusive, of this subsection, a single limit of liability shall be
69 allowed as follows: (A) For damages by reason of personal injury to, or
70 death of, one or more persons and damage to property, at least one
71 million dollars; and (B) for malpractice in the care of one or more
72 passengers, at least five hundred thousand dollars. A certificate of such
73 proof shall be filed with the commissioner. Upon determination by the
74 commissioner that an applicant is financially responsible, properly
75 certified and otherwise qualified to operate a commercial ambulance
76 service, rescue service or management service, the commissioner shall
77 issue the appropriate license effective for one year to such applicant. If
78 the commissioner determines that an applicant for either a certificate
79 or license is not so qualified, the commissioner shall notify such
80 applicant of the denial of the application with a statement of the

81 reasons for such denial. Such applicant shall have thirty days to
82 request a hearing on the denial of the application.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	17b-276c
Sec. 2	<i>from passage</i>	19a-180(a)

Statement of Purpose:

To ensure safe and appropriate transportation for nonambulatory Medicaid recipients.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]