

# HOUSE RESEARCH

## Bill Summary

**FILE NUMBER:** H.F. 3548  
**Version:** As introduced

**DATE:** March 28, 2016

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**Subject:** Special transportation service regulations

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### Overview

This bill governs regulation of “special transportation service” providers. Such service is transportation designed primarily or exclusively for elderly or disabled individuals who do not need ambulance service, and it includes some “nonemergency medical transportation services” covered under medical assistance (MA). The Minnesota Department of Transportation (MnDOT) regulates special transportation service providers under state statutes and administrative rules, in areas that include authorization to operate as a provider, driver qualifications, vehicle equipment and inspections, insurance, and recordkeeping.

#### Section

- 1 Applicability.** Replaces an exception from various special transportation service (STS) regulations for fixed route common carriers with a broader exemption for public transit providers receiving state funds.
- 2 Definition.** Defines “disqualified” in the section of statutes on special transportation service regulations, to be a person who—following a Department of Human Services background check—is barred from a position having direct contact with individuals receiving various services, and who has not obtained a set-aside of that disqualification.
- 3 Vehicle and equipment inspection; rules’ decal; complain contact information; restrictions on name of service.** Permits MnDOT to prevent a vehicle from being used in service by an STS provider until all vehicle equipment requirements in administrative rules are met.

## **Section**

- 4 Certification of special transportation provider.** Permits MnDOT to refuse operating authority (i.e., a “certificate of compliance”) for an STS provider if a background check has identified a disqualification among certain persons with an ownership interest, controlling individuals, or managerial officials of the STS provider.
- 5 Administrative penalties; loss of certificate of compliance.** Establishes a process for removing the operating authority of an STS provider if a background check identifies a disqualification among those subject to such checks (which includes persons with an ownership interest, certain managers, administrative support personnel, and various employees who have direct interaction with recipients of the transportation service). Under the process, MnDOT can suspend or revoke operating authority following written notice and if the disqualified person has subsequently continued in a role in which a person must not have been disqualified.
- 6 Background studies.** Makes technical changes.
- 7 Transportation costs.** Bars a provider of nonemergency medical transportation services from enrollment as a provider in medical assistance, if:
- (1) the provider has not initiated background checks on certain persons with an ownership interest, controlling individuals, and managerial officials; or
  - (2) the provider has initiated background checks on these individuals, and the commissioner has notified the provider that an individual has been disqualified and the individual has not received a disqualification set-aside specific to the special transportation services provider.