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**HOUSE JOINT RESOLUTION NO. 40**  
**AMENDMENT IN THE NATURE OF A SUBSTITUTE**  
(Proposed by the Senate Committee on Rules  
on February 28, 2014)

(Patron Prior to Substitute—Delegate Albo)

*Requesting the Office of the State Investigator General to study Medicaid-funded transportation services in the Commonwealth. Report.*

WHEREAS, the Commonwealth has incorporated nonemergency transportation services into the state Medicaid program, services that are often used to transport individuals with physical, intellectual, and other disabilities to and from medical, mental health, and other appointments; and

WHEREAS, the Department of Medical Assistance Services' current contract for such nonemergency transportation services expires in October 2014, with the option for three one-year contract extensions; and

WHEREAS, over 600 complaints about the current nonemergency transportation services were filed with the Fairfax-Falls Church Community Services Board staff in 2012, and similar complaints were reported across the state in 2013, including failure to arrive by the provider; late or unreasonably early arrivals; transportation of individuals to incorrect addresses; drivers unable, unwilling, or unaware of their responsibility to assist riders; and extraordinarily lengthy wait times before individuals are transported back to their residences; and

WHEREAS, this problem is of particular concern given that many of these clients are medically fragile, have conditions that require regular ongoing medical or mental health care, or rely on the nonemergency transportation service to reach care providers; and

WHEREAS, in response to complaints lodged with the Department of Medical Assistance Services about the current nonemergency transportation services, a performance improvement plan was adopted in September 2012 to increase monitoring of nonemergency medical transportation services, including responsiveness to complaints, deadlines for addressing multiple problems, and accountability measures; and

WHEREAS, despite these attempts to improve service delivery, complaints from Medicaid recipients who use the nonemergency transportation service continue to demonstrate serious shortcomings in the service delivery; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the Office of the State Investigator General be requested to study Medicaid-funded nonemergency transportation services in the Commonwealth.

In conducting its study, the Office of the State Investigator General shall (i) review the performance of the current nonemergency transportation provider during the course of the current contract from the perspective of the Department of Medical Assistance Services, the contracted provider, its subcontractors, and clients served; (ii) review the Department of Medical Assistance Services' oversight of the Commonwealth's contract with the current nonemergency transportation provider; (iii) identify remedies and alternatives available to the Commonwealth to resolve issues identified in the delivery of Medicaid-supported nonemergency transportation services; and (iv) consider any other related matters as the Office of the State Investigator General deems appropriate to meet the objectives of this study.

All agencies of the Commonwealth shall provide assistance to the Office of the State Investigator General for this study, upon request.

The Office of the State Investigator General shall complete its meetings by November 30, 2014, and the State Investigator General shall submit to the Division of Legislative Automated Systems an executive summary of its findings and recommendations no later than the first day of the 2015 Regular Session of the General Assembly. The executive summary shall state whether the Office of the State Investigator General intends to submit to the General Assembly and the Governor a report of its findings and recommendations for publication as a House or Senate document. The executive summary and report shall be submitted as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents and reports and shall be posted on the General Assembly's website.

SENATE SUBSTITUTE

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