

APA-4

**CERTIFICATION OF EMERGENCY RULES
FILED WITH LEGISLATIVE SERVICES AGENCY
OTHNI LATHRAM, DIRECTOR**

Pursuant to Code of Alabama 1975, §§41-22-5 (b) and 41-22-6 (c) (2) a. and b.

I certify that the attached emergency rule is a correct copy as promulgated and adopted on the 17th day of March, 2022.

AGENCY NAME: Alabama Medicaid Agency

RULE NO. AND TITLE: 560-X-18-.25ER - NET Provider and Driver Requirements-Exclusions

EFFECTIVE DATE OF RULE: March 17, 2022

EXPIRATION DATE (If less than 120 days): _____

NATURE OF EMERGENCY: The above referenced rule is being added to include NET Provider and Driver requirements as required by the Consolidated Appropriations Act, 2021.

STATUTORY AUTHORITY State Plan; Title 42 C.F.R., Section 431.53, and Title XIX, Social Security Act.

SUBJECT OF RULE TO BE ADOPTED ON PERMANENT BASIS YES NO


NAME, ADDRESS, AND TELEPHONE NUMBER OF PERSON TO CONTACT FOR COPY OF RULE:

Administrative Secretary
Alabama Medicaid Agency
501 Dexter Avenue
Montgomery, Alabama 36103
(334) 242-5833

REC'D & FILED

MAR 17 2022

LEGISLATIVE SVC AGENCY


Stephanie McGee Azar
Commissioner

Rule No. 560-X-18-.25ER NET Provider and Driver Requirements-Exclusions – NEW RULE

The Medicaid Coverage of Certain Medical Transportation under the Consolidated Appropriations Act, 2021 (Public Law 116-260) established provider and driver minimum requirements for participation in NET, excluding any public transit authority. Provider(s) and driver(s) must adhere to the following:

(1) Exclusions

- (a) Provider(s) and individual driver(s) must not be excluded from participation in any federal health care programs (as defined in section 1128B(f) of the Act).
- (b) Provider(s) and individual driver(s) must not appear on the Inspector General of the Department of Health and Human Services exclusion list.

(2) Individual driver(s) must possess a valid driver's license.

(3) Provider(s) must have in place a process to address any violation(s) of state drug laws by an individual driver.

(4) Provider(s) must have in place a process to disclose to the state Medicaid program the driving history, including any traffic violations of each such driver employed by the Provider(s).

Author: Angela Johnson-Groves, Associate Director, Non-Emergency Transportation Program

Statutory Authority: State Plan; 42 C.F.R., Section 431.53, and Title XIX, Social Security Act.

History: Emergency rule filed and effective March 17, 2022.