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HOUSE JOINT RESOLUTION NO. 40

Offered January 8, 2014

Prefiled December 31, 2013

Directing the Joint Legislative Audit and Review Commission to study Medicaid-funded transportation services in the Commonwealth. Report.

Patrons—Albo, Anderson, Bell, Richard P., Byron, Cole, Cox, Farrell, Fowler, Garrett, Greason, Habeeb, Head, Howell, W.J., Hugo, Ingram, Jones, Landes, LaRock, Lingamfelter, Loupassi, Marshall, D.W., Massie, Miller, Minchew, Morris, O'Bannon, Orrock, Peace, Poindexter, Ramadan, Ransone, Robinson, Rust, Scott, Webert, Wilt and Wright

Referred to Committee on Rules

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

WHEREAS, the Department of Medical Assistance Services has contracted with Logisticare to provide Medicaid-funded transportation services to such individuals; and

WHEREAS, over 600 complaints about Logisticare have been filed with the Fairfax-Falls Church Community Services Board in 2012 alone, including failure to arrive, late or unreasonably early arrivals, transportation of individuals to incorrect addresses, and 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; and

WHEREAS, after complaints were lodged about Logisticare, a performance improvement plan was adopted in September 2012 to increase monitoring of Logisticare's performance, including responsiveness to complaints, deadlines for addressing multiple problems, and accountability measures; and

WHEREAS, despite these attempts to improve service delivery, Logisticare continues to demonstrate serious shortcomings in its performance; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the Joint Legislative Audit and Review Commission be directed to study Medicaid-funded transportation services in the Commonwealth.

In conducting its study, the Joint Legislative Audit and Review Commission (JLARC) shall (i) identify remedies and alternatives available to the Commonwealth to resolve the issues surrounding Logisticare's ability to provide these critical transportation services; (ii) examine the terms of the Commonwealth's contract with Logisticare for transportation services, including the penalties for poor service, to determine whether these provisions should be modified in future contracts; and (iii) review the Department of Medical Assistance Services' oversight of the Commonwealth's contract with Logisticare. The Commonwealth's contract with Logisticare shall not be renewed or extended prior to the completion of this study.

All agencies of the Commonwealth shall provide assistance to JLARC for this study, upon request.

The Joint Legislative Audit and Review Commission shall complete its meetings by November 30, 2014, and the chairman 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 JLARC 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.

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