

The House Committee on Transportation offers the following substitute to SB 22:

A BILL TO BE ENTITLED
AN ACT

1 To amend Title 32 of the Official Code of Georgia Annotated, relating to highways, bridges,
2 and ferries, so as to establish the Georgia Coordinating Committee for Rural and Human
3 Services Transportation to encourage efficient transportation service delivery in the rural
4 areas of the state and to coordinate human service transportation services in both the rural
5 and urban areas of the state; to provide for legislative findings; to provide for the
6 membership, meetings, and expenses of such committee; to provide for advisory committees;
7 to provide for the duties of the committee; to provide for an annual report; to provide for
8 related matters; to amend Article 7 of Chapter 4 of Title 49 of the Official Code of Georgia
9 Annotated, relating to medical assistance generally, so as to provide certain requirements
10 relating to nonemergency medical transportation for Medicaid recipients; to provide for an
11 effective date; to repeal conflicting laws; and for other purposes.

12 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

13 **SECTION 1.**

14 Title 32 of the Official Code of Georgia Annotated, relating to highways, bridges, and ferries,
15 is amended by adding a new chapter to read as follows:

16 "CHAPTER 12

17 32-12-1.

18 The General Assembly finds that there exist a number of programs designed to provide
19 rural and human services transportation and that frequently these services are provided over
20 large geographic areas through various funding sources which are frequently targeted to
21 narrowly defined client bases. The sheer number of such programs lends itself to a need
22 for coordination among the programs and agencies which implement them so as to best
23 assist economies in purchasing equipment and operating these many programs, to better
24 serve the taxpayers of the state in ensuring the most cost-effective delivery of these

25 services, and to best serve the clients utilizing the transportation services provided through
26 these programs.

27 32-12-2.

28 There is hereby created the Georgia Coordinating Committee for Rural and Human
29 Services Transportation of the Governor's Development Council.

30 32-12-3.

31 The Georgia Coordinating Committee for Rural and Human Services Transportation and
32 its advisory subcommittees shall meet not less often than quarterly. Administrative
33 expenses of the committee shall be borne by the Governor's Development Council. The
34 members of the committee shall receive no extra compensation or reimbursement of
35 expenses from the state for their services as members of the committee.

36 32-12-4.

37 The Georgia Coordinating Committee for Rural and Human Services Transportation shall
38 establish the State Advisory Subcommittee for Rural and Human Services Transportation
39 which shall consist of the State School Superintendent and the commissioners of the
40 Department of Transportation, Department of Human Services, Department of Behavioral
41 Health and Developmental Disabilities, Department of Community Health, Department of
42 Labor, the Governor's Development Council, and the Department of Community Affairs
43 or their respective designees. The commissioner of transportation or his or her designee
44 shall serve as chairperson of the State Advisory Subcommittee for Rural and Human
45 Services Transportation. The Georgia Coordinating Committee for Rural and Human
46 Services Transportation may also establish such additional advisory subcommittees as it
47 deems appropriate to fulfill its mission which shall consist of a representative of each
48 metropolitan planning organization and representatives from each regional commission in
49 this state and may include other local government representatives; private and public sector
50 transportation providers, both for profit and nonprofit; voluntary transportation programs
51 representatives; public transit system representatives, both rural and urban; and
52 representatives of the clients served by the various programs administered by the agencies
53 represented on the State Advisory Subcommittee for Rural and Human Services
54 Transportation. Members of advisory committees shall be responsible for their own
55 expenses and shall receive no compensation or reimbursement of expenses from the
56 Georgia Coordinating Committee for Rural and Human Services Transportation, the State
57 Advisory Subcommittee for Rural and Human Services Transportation, or the state for their
58 services as members of an advisory committee.

59 32-12-5.

60 The Georgia Coordinating Committee for Rural and Human Services Transportation shall
61 examine the manner in which transportation services are provided by the participating
62 agencies represented on the committee. Such examination shall include but not be limited
63 to:

64 (1) An analysis of all programs administered by participating agencies, including capital
65 and operating costs, and overlapping or duplication of services among such programs,
66 with emphasis on how to overcome such overlapping or duplication;

67 (2) The means by which transportation services are coordinated among state, local, and
68 federal funding source programs;

69 (3) The means by which both capital and operating costs for transportation could be
70 combined or shared among agencies, including at a minimum shared purchase of vehicles
71 and maintenance of such vehicles;

72 (4) An analysis of those areas which might appropriately be consolidated to lower the
73 costs of program delivery without sacrificing program quality to or endangering the
74 health of clients, including shared use of vehicles for client trips regardless of the funding
75 source which pays for their trips;

76 (5) An analysis of state of the art efforts to coordinate rural and human services
77 transportation elsewhere in the nation, including at a minimum route scheduling so as to
78 avoid duplicative trips in a given locality;

79 (6) A review of any limitations which may be imposed by various federally funded
80 programs and how the state can manage within those limitations as they review possible
81 sharing opportunities;

82 (7) An analysis of how agency programs interact with and impact state, local, or regional
83 transportation services performed on behalf of the general public through state, local, or
84 regional transit systems;

85 (8) An evaluation of potential cost sharing opportunities available for clients served by
86 committee agencies so as to maximize service delivery efficiencies and to obtain the
87 maximum benefit on their behalf with the limited amount of funds available; and

88 (9) An analysis of possible methods to reduce costs, including, but not limited to, greater
89 use of privatization.

90 32-12-6.

91 No later than July 1 of each year, the Governor's Development Council shall submit the
92 preliminary report of the Georgia Coordinating Committee for Rural and Human Services
93 Transportation to the members of the State Advisory Subcommittee for Rural and Human
94 Services Transportation. Comments and recommendations may be submitted to the

95 Governor's Development Council for a period of 30 days. No later than September 1 of
 96 each year, the Governor's Development Council shall submit a final report to the
 97 Governor's Office of Planning and Budget for review and consideration. The report shall
 98 address each of the specific duties enumerated in Code Section 32-12-5 and such other
 99 subject areas within its purview as the Governor's Development Council shall deem
 100 appropriate. Each report shall focus on existing conditions in coordination of rural and
 101 human services transportation within the state and shall make specific recommendations
 102 for means to improve such current practices. Such recommendations shall address at a
 103 minimum both their cost implications and impact on client service. No later than January
 104 15 of each year, the Governor's Office of Planning and Budget shall submit the final report
 105 of the Governor's Development Council and any affiliated budget recommendations to the
 106 presiding officers of the General Assembly, with copies of said report sent to the
 107 chairpersons of the transportation committees, the appropriations committees, and the
 108 health and human services committees of each chamber of the General Assembly."

109 **SECTION 1.1.**

110 Article 7 of Chapter 4 of Title 49 of the Official Code of Georgia Annotated, relating to
 111 medical assistance generally, is amended by adding a new Code section to read as follows:

112 "49-4-156.2.

113 (a) Effective July 1, 2011, the department shall divide the northern Nonemergency
 114 Medical Transportation district as it existed on January 1, 2010, into two districts with
 115 roughly equal populations so that, on July 1, 2011, there are six Nonemergency Medical
 116 Transportation districts as follows: Northwest, Northeast, Southeast, Southwest, Central,
 117 and Metro.

118 (b) The department shall certify that the rates submitted by prospective brokers to
 119 administer and arrange for nonemergency medical transportation for Medicaid recipients
 120 are actuarially sound as determined by the department in accordance with nationally
 121 recognized actuarial standards.

122 (c) Each broker contracting with the department shall annually submit to the department
 123 a report detailing the ownership interests of the transportation providers of its
 124 transportation network to ensure that the broker is in compliance with federal regulations
 125 relating to conflicts of interest and self-referral. The department shall compile and
 126 annually submit such reports to the chairpersons of the committees of the House of
 127 Representatives and Senate which oversee such functions."

128 **SECTION 2.**

129 This Act shall become effective upon its approval by the Governor or upon its becoming law
130 without such approval.

131 **SECTION 3.**

132 All laws and parts of laws in conflict with this Act are repealed.