



Greater Hartford Legal Aid



Connecticut Legal Services



NEW HAVEN
LEGAL
ASSISTANCE
ASSOCIATION, INC.

January 8, 2020

The Honorable Earl L. "Buddy" Carter
2432 Rayburn House Office Building
Washington, DC 20515

Re: January 8, 2020 hearing on H.R. 3935 by the Subcommittee on Health of the House Committee on Energy and Commerce

Dear Representative Carter:

Greater Hartford Legal Aid, Connecticut Legal Services, and New Haven Legal Assistance Association would like to thank you for sponsoring H.R. 3935, the "Protecting Patients Transportation to Care Act," and express our support. Through our mission "to achieve equal justice for poor people, to work with clients to promote social justice, and to address the effects and root causes of poverty," we are acutely aware of how important non-emergency medical transportation (NEMT) is to connecting patients to the care they need. We primarily serve low-income residents of the greater Hartford, Connecticut region. Without NEMT, many of our clients would not be able to access critical health services, like dialysis, primary care, preventive care and care for substance use disorders. It is critical that Connecticut continue to provide federally-mandated NEMT services under the state's Medicaid program. Although we currently have significant challenges in our state regarding the delivery of these services, there is no question that it is a critical service for our clients. Connecticut's NEMT program provides an average of 387,000 trips each month statewide. In a small state like Connecticut, that's a significant number and has a noticeable effect in ensuring our clients access to timely medical services. We strongly support making NEMT a statutorily mandated Medicaid benefit for all states.

The need for this to be a statutorily-mandated service arises from the fact that currently it is mandated only by federal regulations, which have been held to be unenforceable by private parties, and states have therefore attempted to evade their responsibilities to provide it. Indeed, several states have sought and even obtained a waiver from the federal Medicaid agency, CMS, to avoid providing this service to certain groups of Medicaid enrollees. Without a statutory mandate, this trend will continue and such a waiver could be obtained for our state as well.

Non-emergency medical transportation is both a critical and cost-effective benefit. In a recent survey of NEMT recipients, 58 percent reported that they would not be able to make any medical appointments

without NEMT.¹ By connecting patients to routine and preventive care, NEMT helps prevent avoidable hospitalizations. More specifically, while NEMT provides transportation to 10 percent of, or about 7 million, Medicaid enrollees, it only constitutes 1 percent of Medicaid's total budget.² Recent data also show that NEMT has a positive return on investment for both wound care for diabetics and dialysis.³ Moreover, one Florida study estimated that if just 1 percent of all medical transportation trips prevent a one-day stay in a hospital, the resulting return on investment would be 11:1.⁴

Providing NEMT has more benefits than not. NEMT has proven effective in helping patients stay healthy and states save money. Forgoing NEMT has been shown to be a barrier to receiving care and maintaining overall health.⁵

For all of these reasons, we support H.R. 3935 and thank you for your leadership on this issue.

Sincerely,

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Kristen Noelle Hatcher
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Sheldon Toubman
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New Haven Legal Assistance
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Cc: The Honorable Frank Pallone, Chair, House Committee on Energy and Commerce
The Honorable Greg Walden, Ranking Member, House Committee on Energy and Commerce
The Honorable Anna G. Eshoo, Chair, House Subcommittee on Health
The Honorable Michael C. Burgess, Ranking Member, House Subcommittee on Health
The Honorable Tony Cárdenas
The Honorable Tom Graves
The Honorable Sanford D. Bishop Jr.

¹ Medical Transportation Access Coalition, *The Value of Medicaid's Transportation Benefit – Results of a Return on Investment Study*, <https://mtaccoalition.org/wp-content/uploads/2018/08/NEMT-ROI-Study-Results-One-Pager.pdf> and <https://mtaccoalition.org/wp-content/uploads/2018/07/NEMT-ROI-Methodology-Paper.pdf>

² Letter from the Congressional Black Caucus to Chairwoman Rosa L. DeLauro and Ranking Member Tom Cole of the House Committee on Appropriations, February 15, 2019

³ Medical Transportation Access Coalition, *The Value of Medicaid's Transportation Benefit – Results of a Return on Investment Study*, <https://mtaccoalition.org/wp-content/uploads/2018/08/NEMT-ROI-Study-Results-One-Pager.pdf> and <https://mtaccoalition.org/wp-content/uploads/2018/07/NEMT-ROI-Methodology-Paper.pdf>

⁴ The Stephen Group, *Volume II: Recommendations to the Arkansas Health Reform Task Force Re: Health Care Reform/Medicaid Consulting Services*, October 2015, <https://www.stephengroupinc.com/images/engagements/Final-Report-Volume-II.pdf>

⁵ The Lewin Group, *Indiana HIP 2.0: Evaluation of Non-Emergency Medical Transportation (NEMT) Waiver*, March 11, 2016, <https://www.in.gov/fssa/hip/files/Indiana%20HIP%202.0%20NEMT%20Report%20Updated%203-11-16.pdf>