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 | INFORMATIONAL LETTER |
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TRANSMITTAL: 93 INF-20

TO: Commissioners of
 Social Services

DIVISION: Health and
 Long Term Care

DATE: May 24, 1993

SUBJECT: Guidelines For Ordering Ambulette Transportation

SUGGESTED

DISTRIBUTION: Medical Assistance Staff
 Transportation Unit Staff
 Staff Development Coordinators

CONTACT PERSON: For additional information, contact
 Loretta Grose at 1-800-342-3715, extension 34055

ATTACHMENTS: None

FILING REFERENCES

Previous ADMs/INFs	Releases Cancelled	Dept. Regs.	Soc. Serv. Law & Other Legal Ref.	Manual Ref.	Misc. Ref.
92 ADM-21		505.10			89 LCM-193

I. Purpose

The purpose of this letter is to inform district staff of guidelines to be used by medical practitioners in ordering ambulette services. The guidelines have been revised in order to more clearly reflect the intent of the existing regulations which is to restrict usage to those recipients whose mobility is limited by a physical handicap or disability. This is consistent with existing Department policy which defines ambulette services as requiring the assistance of the driver.

These revisions are consistent with the goals of the Americans With Disabilities Act (ADA). The ADA seeks to increase access to mainstream transportation services for those individuals with physical handicaps.

Medical practitioners and providers of transportation services will be informed of this revision in ordering guidelines.

II. Medical Practitioners Authorized To Order Ambulette Transportation

Ambulette transportation of Medical Assistance (MA) recipients is to be ordered only by the specific medical practitioners listed below:

Physician
Physician's Assistant
Nurse Practitioner
Optometrist
Dentist
Podiatrist

Clinics, hospitals, and other medical facilities are allowed to order transportation on behalf of the above-named providers; however, evidence of the need for such transportation should be documented by one of the above practitioners.

The MA program may pay the costs incurred by MA recipients only when traveling to and from medical care and services covered under the MA program. The medical practitioner ordering ambulette services is responsible for assessing the appropriateness and necessity of this mode of transportation for the MA recipient.

III. Regulatory Authority

Title 18 of the Official Compilation of Codes, Rules and Regulations of the State of New York (18 NYCRR) 505.10, "Transportation for Medical Care and Services," defines an ambulette service as:

(b)(4) an individual, partnership, association, corporation, or any other legal entity which transports the invalid, infirm or disabled by ambulette to or from facilities which provide medical care. An

ambulette service provides the invalid, infirm or disabled with personal assistance entering and exiting their residences, the ambulette, and a facility which provides medical care."

The following guidelines for the ordering of ambulette services more clearly meet this existing regulatory definition.

IV. Guidelines For The Ordering Of Ambulette Services

Ambulette transportation may be ordered by a medical practitioner only if one of the following conditions is present:

- o The recipient is wheelchair bound and is unable to use a taxi, livery service, bus or private vehicle.
- o The recipient has a disabling physical condition which requires the use of a walker or crutches and is unable to use a taxi, livery service, bus or private vehicle.
- o An otherwise ambulatory recipient requires radiation therapy, chemotherapy, or dialysis treatments, which result in a disabling physical condition after treatment, making the recipient unable to access transportation without physical assistance. (In such cases, the local district may authorize ambulette services for both parts of the round trip, at its discretion.)

One of the above limiting conditions must exist before a practitioner may consider ordering ambulette transportation; however, the existence of a limiting condition does not necessarily mean that ambulette transportation is required. While the above conditions may demonstrate the possible need for ambulette service, the functional ability and independence of the Medical Assistance recipient should also be considered in determining the mode of transportation required.

V. Summary

Transportation services provided within the Medical Assistance program are intended to assure that recipients are able to access necessary medical care and services covered under MA. When ambulette services are ordered it is expected that this transportation is required due to the recipient's disabling physical condition which precludes the use of a less intensive mode of transportation such as a taxi, livery or mass transit. Local district staff should be aware that, according to department regulation 504.8(a):

Providers shall be subject to audit by the department and with respect to such audits will be required...(2) to pay restitution for any direct or indirect monetary damage to the program resulting from their improperly or inappropriately furnishing services or arranging for, ordering, or prescribing care, services or supplies,....

The medical practitioner ordering the ambulette service is responsible for the determination of medical need and the appropriate mode of transportation. Medical practitioners must follow the procedures

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established by the local district social services office when requesting transportation services for medical assistance patients.

The local district prior authorization official has the final authority when determining the appropriateness and necessity of the ordered transportation. Local district staff can request documentation from a medical practitioner to ascertain the recipient's need for the ordered mode of transportation.

It is conceivable that a situation may occur where it is cheaper to utilize an ambulette over any other form of available transportation, i.e., group rides in an ambulette. In these situations, it is appropriate for the local district prior authorization official to authorize ambulette as the most cost effective transportation available.

Gregory M. Kaladjian
Acting Commissioner