

Presentation to:
California Department of Transportation (Caltrans)
Mobility Action Plan (MAP) Phase I
Implementation Study
MAP PAC Committee Meeting



Presented by:
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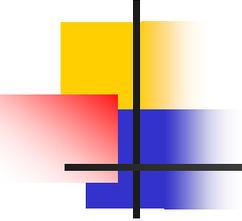


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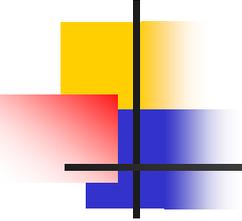
February 17, 2010



MEETING PURPOSE AND OUTCOMES

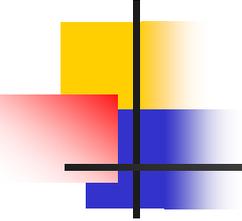
Present study updates, discuss and receive feedback on the following MAP Study work tasks and activities:

- Technical Update: Draft Report: Statewide Executive Summaries: Large/Small Urban and Rural Coordinated Plans
- Outreach Update: Draft Report: Stakeholder Involvement
- Legislative Update and Discussion: Draft Report: Assessing Human Service Transportation in California: An Analysis of Legal and Regulatory Obstacles



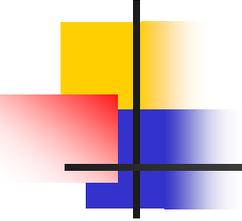
TECHNICAL UPDATE: STATEWIDE EXECUTIVE SUMMARY

- Completed draft Statewide Executive Summary: Volume I (Large/Small Urban Counties) and Volume II (Rural Counties)
- Summary of following plan elements from each of 44 regions:
 - Transportation Needs
 - Transportation Resources
 - Gaps
 - Barriers
 - Priorities
 - Recommendations



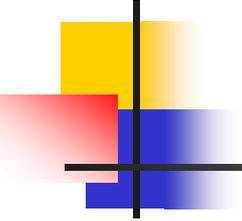
TECHNICAL UPDATE: STATEWIDE EXECUTIVE SUMMARY

- Completion of Large/Small Urban and Rural Public Transit-Human Services Coordinated Plan Review
- Information related to review categories taken verbatim from plans
- Merced County plan has been incorporated into draft document



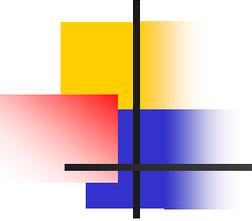
TECHNICAL UPDATE: STATEWIDE EXECUTIVE SUMMARY OUTCOMES

- Gained understanding of transportation coordination needs and efforts planned and underway to address those needs in both large/small urban and rural areas
- Identified the unique and similar key issues presented in the plans
- Assessed thoroughness and consistency of the plans with federal and state regulations and guidelines
- Gathered information that will validate and/or augment qualitative information and data collected during the stakeholder involvement process
- Developed a combined document which generally summarizes the Coordination plans of all regions for information sharing and ease of reference



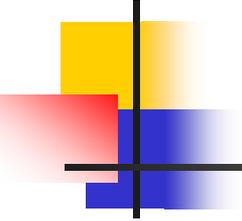
TECHNICAL UPDATE: STATEWIDE EXECUTIVE SUMMARY NEXT STEPS

- Review of individual draft summaries by MAP PAC and regional agencies to ensure accuracy; and
- Finalizing draft report following review and comment; report will be incorporated into final study document.



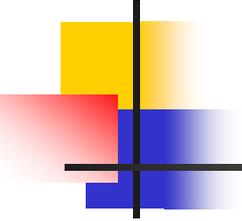
OUTREACH UPDATE: STAKEHOLDER INVOLVEMENT REPORT

- Conducted stakeholder involvement effort in late spring and summer 2009
- Included interviews and regional roundtable discussions conducted by telephone
- Developed draft report which combines methodology, findings and recommendations from both efforts



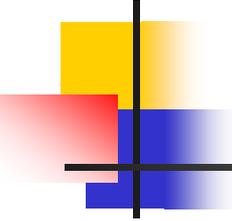
OUTREACH UPDATE: NEXT STEPS

- MAP PAC review and comment of draft report; and
- Finalizing draft report following review and comment; report will be incorporated into final study document.



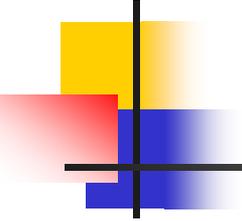
LEGISLATIVE UPDATE: STATUS AND NEXT STEPS

- Latest version of NCSL Legislative analysis report available under review
- Key recommendations and associated strategies that can be implemented by the State will be presented at next MAP PAC meeting.



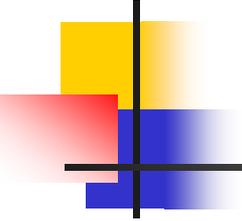
LEGISLATIVE UPDATE: IDENTIFIED ISSUES

- Top four (4) policy-related issues identified in MAP PAC meetings and during the stakeholder involvement process:
 1. Unmet Needs Process
 2. Medi-Cal's NEMT reimbursement rules
 3. CTSAs
 4. Insurance and liability issues
- UNP, NEMT and Insurance issues will be discussed during today's meeting, time permitting
- CTSAs will be discussed in next meeting



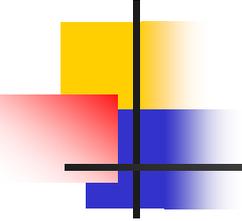
LEGISLATIVE UPDATE: OTHER IDENTIFIED ISSUES

- Other policy-related issues identified include:
 - Jurisdictional Issues
 - Governance and Funding Issues



UNMET NEEDS PROCESS ISSUE/ANALYSIS

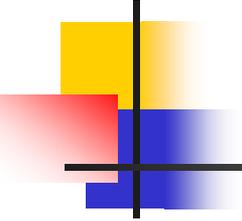
- Definitions developed by regional and local agencies across the state of what is considered an “unmet need” and what types of needs are “reasonable to meet”
- Research showed that counties have similar definitions and require a threshold on unmet needs
- NCSL research showed that there are few instances where unmet needs were found to be “reasonable to meet”
- Affects coordination: some unmet needs include connections to intercity/interregional destinations



UNMET NEEDS PROCESS ALTERNATIVES ANALYSIS

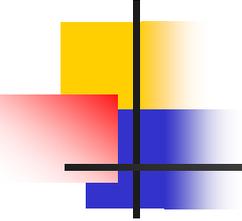
■ **Alternative 1: Set Parameters**

- The Legislature could consider setting specific parameters on how the definitions should be formulated creating consistency statewide
- Parameters developed could conceivably establish legislative intent specifying goals for transit funding in the future, balancing the needs of roads and streets in the process.



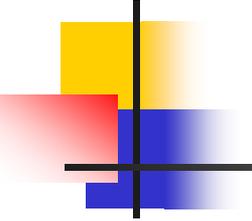
UNMET NEEDS PROCESS ALTERNATIVES ANALYSIS (cont'd.)

- **Alternative 2: Existing Appeals Process**
 - Utilize BTH Secretary review process.
 - Parties have option of appealing to the BTH Secretary on UNP for resolution, if needed.



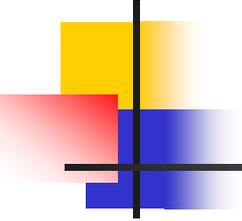
UNMET NEEDS PROCESS ALTERNATIVES ANALYSIS (cont'd.)

- **Alternative 3: Local Appeals Process**
 - Prior to BTH Secretary review of the unmet needs claim, implement a local appeals process where the SSTAC or other designated group reviews the transportation planning agency's decision
 - If not resolved satisfactorily, both parties retain the option of appealing to the Secretary, whose decision would be final
 - More equitable process; maintains local control



UNMET NEEDS PROCESS ALTERNATIVES ANALYSIS (cont'd.)

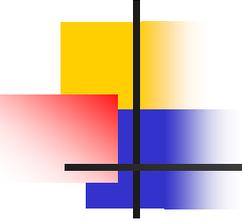
- **Alternative 4: Incorporate findings of the Unmet Needs Process into Coordinated Plans**
 - Transportation needs of the target populations are documented as a requirement in the coordinated plan, but unmet needs identified during the unmet transit needs process are not always included in coordinated plans
 - MPOs or RTPAs should include unmet transit needs findings into their updated coordinated plans
 - Inclusion of unmet transit needs in the coordinated plan offers the potential to develop coordinated transportation projects to address those needs that could be funded from FTA Section 5310, 5316, and 5317.



MEDI-CAL'S NEMT ISSUES

■ **Issues:**

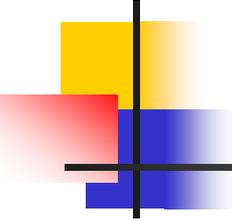
- Public transit providers are generally not eligible to receive reimbursement from Medi-Cal to provide NEMT trips to Medi-Cal recipients
- Stakeholders believe that State NEMT regulations negatively impact those without other transportation options (i.e., cancellation or non-scheduling of medical appointments)
- Should Medi-Cal's regulations be amended to allow recipients greater access?



MEDI-CAL'S NEMT ANALYSIS

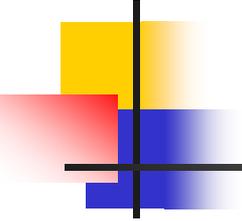
- **Analysis:**

- Implementation of the State's Medi-Cal transportation program impacts coordination in the state
- Creates difficulty for beneficiaries to get needed rides and prohibits public transportation participation as providers
- Medi-Cal's policy only the most severely disabled and sick on NEMT, while denying other Medicaid beneficiaries.
- Those riders allowed must complete a TAR each time they ride or annually if they have a chronic condition



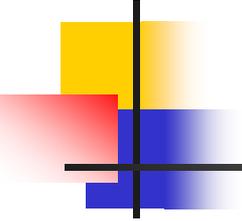
MEDI-CAL'S NEMT ALTERNATIVES

- **Alternative 1: Provide Greater Access to Beneficiaries**
 - The legislature could mandate that Medi-Cal amend its regulations restricting Medicaid beneficiary access which could permit greater access to Medicaid beneficiaries who currently do not fit within the state's current definition.



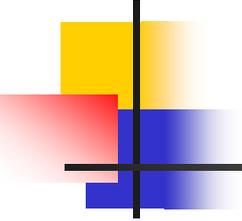
MEDI-CAL'S NEMT ALTERNATIVES (cont'd.)

- **Alternative 2: Greater Access to Public Transportation**
 - Medi-Cal also does not allow for the reimbursement of NEMT trips on public transportation. Therefore if Medi-Cal regulations are amended to allow for greater access from Medicaid beneficiaries its regulations should also be amended to allow beneficiaries to use public transportation for NEMT trips.



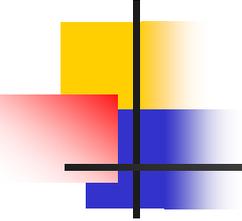
MEDI-CAL'S NEMT ALTERNATIVES (cont'd.)

- **Alternative 3: Amend the Treatment Authorization Request (TAR) Process for NEMT Rides**
 - Medi-Cal should consider implementing the LAO's recommendation that the TAR process be amended. This amendment would conceivably allow beneficiaries to submit TAR paperwork prior to (not after) the NEMT ride is provided.



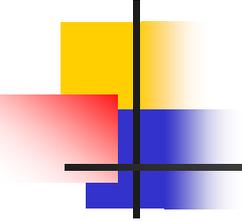
MEDI-CAL'S NEMT ALTERNATIVES (cont'd.)

- **Alternative 4: Develop opportunities for NEMT providers to actively participate in the coordination process**
 - NEMT providers should be encouraged to participate in the coordination planning process with other coordination groups/stakeholders.



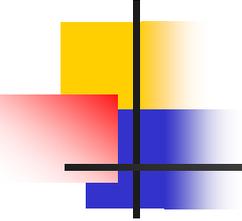
MEDI-CAL'S NEMT ALTERNATIVES (cont'd.)

- **Alternative 5: Institute a Hybrid NEMT Brokerage**
 - LAO suggests that Medi-Cal implement a NEMT brokerage program to provide greater access to NEMT for Medi-Cal beneficiaries. DMT could work with Medi-Cal, CHHS and CDA to develop guidance on implementing a State program.



MEDI-CAL'S NEMT ALTERNATIVES (cont'd.)

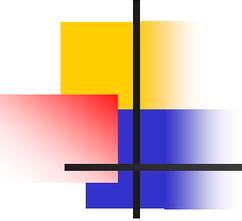
- **Alternative 6: Implement a Brokerage According to the CMS Rule**
 - Medi-Cal could avoid having to submit another section 1915(b) waiver, by implementing a brokerage program according to CMS's rule. This would allow them to continue to be reimbursed at the medical service rate.



INSURANCE AND LIABILITY ISSUES

- **Issue:**

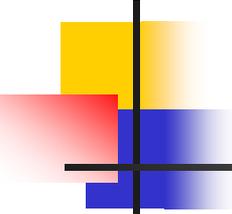
- Insurance costs are high and the ability to coordinate is stifled due to the uncertainty of what agency/organization will bear the risk and/or loss of carrying another agency's clients.



INSURANCE AND LIABILITY ANALYSIS

- **Analysis:**

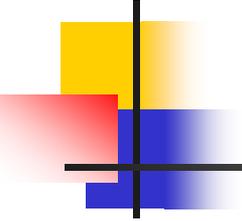
- Sharing vehicles reduces operating and capital costs and prevents under utilization of transportation resources
- The unknown risk of civil liability can significantly affect agencies/organizations' ability to establish and maintain low-cost transportation programs for the target populations
- Specialized transportation programs may need to increase levels of insurance coverage, thereby and significantly increasing costs



INSURANCE AND LIABILITY POSSIBLE SOLUTIONS

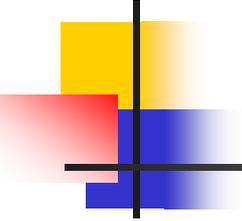
- **Possible Solutions:**

- **Caltrans and Other Guidance** DMT could provide guidance and informational tools to public transit and human services agencies and organizations in the state on possible ways to reduce insurance related costs, and methods to use volunteer drivers that comply with state law. Information on risk management could be shared.



INSURANCE AND LIABILITY POSSIBLE SOLUTIONS (cont'd.)

- **Study on Insurance Practices**
 - DMT could initiate a study related to “Best Practices” in California and/or other states that have addressed and/or reduced their insurance costs.



MAP STUDY FINAL STEPS

- Receive and integrate MAP PAC input and comments to draft reports
- Complete draft final of legislative report and post to website
- Arrange CTSA workshop for next MAP PAC meeting
- Develop and present SIP through incorporation of meeting discussion comments and priorities
- Last two MAP PAC meeting scheduled for Wednesday, April 14, 2010 and Wednesday, June 16, 2010