

**Presentation to:**

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



**Presented by:**

Judith Norman - Transportation Consultant (JNTC)

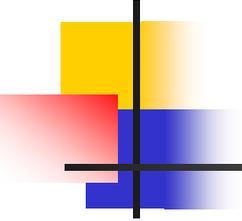


**In Association with:**



The National Conference of State Legislatures

September 23, 2009

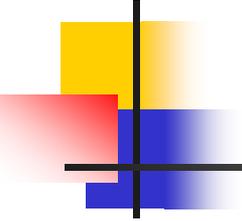


# MEETING PURPOSE AND OUTCOMES

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

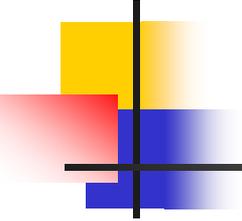
- Legislative Update: Draft Report: Assessing Human Service Transportation Coordination in California: An Analysis of Legal and Regulatory Obstacles
- Technical Update: Draft Report: Review of Large/Small Urban and Rural Coordinated Plans – Statewide Executive Summary Review
- Outreach Update: Stakeholder Involvement Update: Stakeholder Interviews and Roundtable Discussions



# LEGISLATIVE UPDATE

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- Issues Identified in MAPPAC Meetings/Regional Meetings and Surveys:
  - Effectiveness of Unmet Needs Process
  - Viability of CTSA's
  - Reporting Issues
  - Medi-Cal's NEMT reimbursement rules
  - CMS Brokerage rule
  - Insurance Issues
  - Jurisdictional Issues

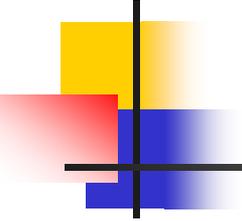


# EFFECTIVENESS OF UNMET NEEDS PROCESS (UNP)

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- **Issue:**

- Some of the MAP PAC members mentioned that the UNP can be influenced to move money away from local transit needs
- MAP PAC members are concerned that the UNP gives local officials too much power to define critical terms
- Other MAP PAC members mentioned that it is an equitable process in their counties
- Should the UNP be amended to allow for greater state oversight to meet the legislative intent to ensure for greater efficiency in the movement of people?

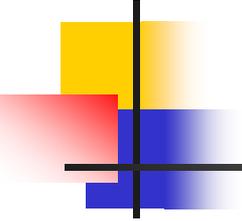


# EFFECTIVENESS OF UNMET NEEDS PROCESS

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- **Analysis:**

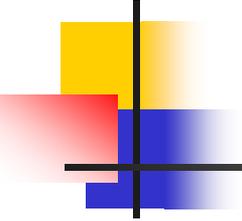
- Criticism of the UNP is that MPOs/RTPAs get to define their own terms
- Most counties have similar definitions and require a threshold on unmet needs
- The 'reasonable to meet' criteria causes many unmet needs to be eliminated because of the definition
- Affects coordination - some unmet needs call for making connections between transit operators and/or origins/destinations



# EFFECTIVENESS OF UNMET NEEDS PROCESS

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- **Possible Solutions:**
  - Go through the state legislative process to amend the UNP to have:
    - Statewide definitions that fit the current/future needs of transit
    - State gives guidance or sets parameters for the definitions leaving control to localities
    - A local appeals process if some feel the definitions are arbitrary and capricious
    - Strengthen the role of the SSTAC

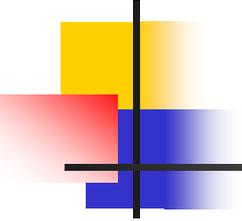


# VIABILITY OF CTSA<sub>s</sub>

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- **Issue:**

- Broad implementation has been difficult
- Benefits of coordination only partly realized
- Don't have the authority to enforce/empower coordination
- Are CTSA<sub>s</sub> viable as presently constituted?
- Does the statutory framework need to be changed?

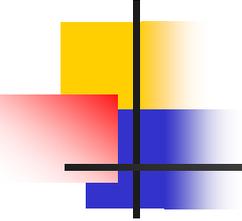


# VIABILITY OF CTSAs

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## ■ **Analysis:**

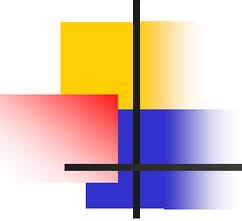
- The SSTIA had no enforcement mechanism to require or entice coordination
- Little money to implement since the TDA provides a limited amount of funds
- The passage of the ADA created a disincentive to create or sustain some CTSAs
- Not all counties have designated CTSAs



# VIABILITY OF CTSAs

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- **Possible Solutions:**
  - Amend state law to:
    - Keep CTSAs as they are but allow for the designation of mobility management centers
    - Do away with CTSAs and create mobility management centers
    - Broaden the definition of CTSAs - allowing non-transit agencies (like AAAs) to be designated
    - Mandate that all counties designate a CTSA

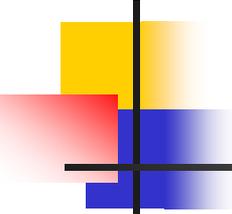


# REPORTING ISSUES

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- **Issue:**

- The SSTIA used to have a reporting requirement for MPOs/RTPAs
- Once the information was collected was it useful?
- Is the SAFETEA-LU coordinated plan sufficient?
- If the information was gathered again, would it be useful?

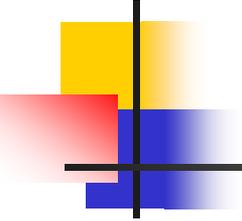


# REPORTING ISSUES

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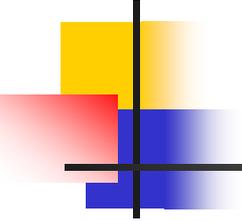
- SAFETEA-LU coordinated plans may serve the purpose of the SSTIA reporting requirements
- The coordinated plans are being collected and summarized as a part of this project
- The reporting requirement was burdensome in nature for the state and local agencies



# REPORTING ISSUES

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- **Possible Solutions:**
  - Reinststate the reporting requirement in its original form
  - Reinststate the reporting requirement and impose sanctions for noncompliance
  - Substitute the SAFETEA-LU coordinated plans for reporting; require the state to create a database on plans that includes broader information on local plans

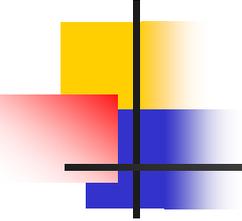


# MEDI-CAL'S NEMT REIMBURSEMENT RULES

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- **Issue:**

- Medi-Cal's NEMT reimbursement rules are restrictive
- MAP PAC members have said that CA's NEMT regulations force those without transportation options to forgo needed appointments or miss them
- Should Medi-Cal's regulations be amended to allow greater access to both Medicaid beneficiaries and transportation methods?

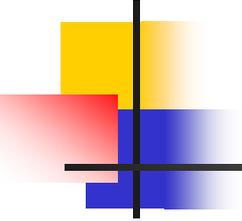


# MEDI-CAL'S NEMT REIMBURSEMENT RULES

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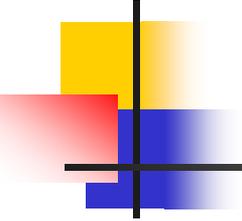
- CA's NEMT program impedes coordination in the state
- Program makes it difficult for beneficiaries to get needed rides and by prohibiting public transportation from participating
- The program only allows the most severely disabled and sick on NEMT, while denying other Medicaid beneficiaries their right to transportation
- Those allowed on have to fill out a TAR every time they ride or yearly if they have a chronic condition



# MEDI-CAL'S NEMT REIMBURSEMENT RULES

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- **Possible Solutions:**
  - Amend Medi-Cal regulations to allow for greater access for Medicaid beneficiaries
  - Amend Medi-Cal regulations to allow for the use of public transportation

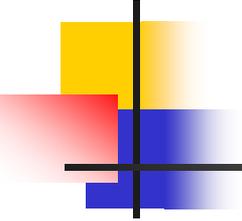


# CMS BROKERAGE RULE IMPLEMENTATION

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## ■ **Issue:**

- CMS Brokerage rule has been cited by some as a solution to CA's NEMT situation
- Others are worried about its affect on coordination
- Should the state adopt a brokerage that could possibly better coordinate NEMT and better assure for the necessary transportation of Medicaid beneficiaries?

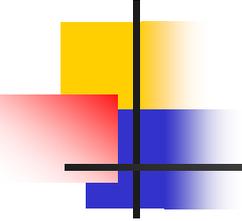


# CMS BROKERAGE RULE IMPLEMENTATION

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## ■ **Analysis:**

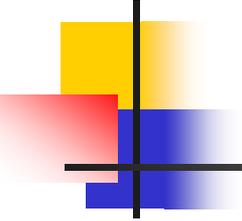
- CMS stated that coordination principles are suitable as long as they don't interfere
- Transportation providers cannot act as brokers
- Could result in reduced rides thereby increasing the brokerage's profits



# CMS BROKERAGE RULE IMPLEMENTATION

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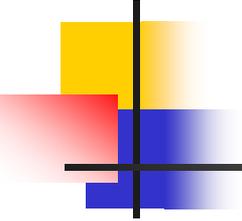
- **Possible Solutions:**
  - Keep the 1915(b) waiver and institute a hybrid version of the rule that fits state NEMT priorities
  - Implement a brokerage according to the rule



# INSURANCE ISSUES THAT HINDER COORDINATION

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- **Issue:**
  - Insurance costs are high
  - Insurance companies don't understand what services transit providers provide
  - Coordination is stifled because of questions on who bears the risk

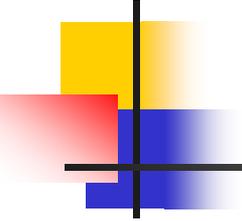


# INSURANCE ISSUES THAT HINDER COORDINATION

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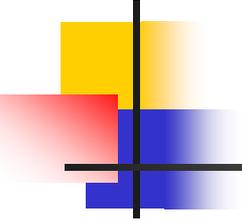
- If damages occur: claim will be made on the vehicle owner's insurance
- To hold borrower liable:
  - Subrogate loss to borrower's insurance company, or
  - Have borrower's insurance company cover any loss while borrower is in control of the vehicle



# INSURANCE ISSUES THAT HINDER COORDINATION

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- **Possible Solutions:**
  - Have Caltrans issue guidance on risk management techniques
  - Initiate a study on human service transportation practices on how to lower its insurance costs

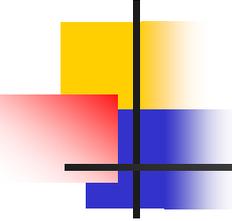


# CROSSING STATE LINES AND OTHER JURISDICTIONAL ISSUES

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- **Issue:**

- Restricts the ability of providers to provide adequate service to customers

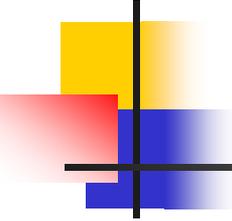


# CROSSING STATE LINES AND OTHER JURISDICTIONAL ISSUES

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## ■ **Analysis:**

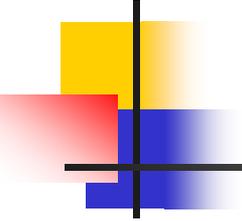
- Crossing state lines: usually applies to rural paratransit providers with the exception of San Diego County Urban area operators
- Two problems:
  - FMCSA and FTA regulations
  - State insurance regulatory environments
- Local match requirements are derived from city and county resources



# CROSSING STATE LINES AND OTHER JURISDICTIONAL ISSUES

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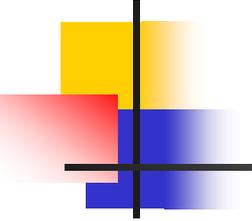
- **Potential Solutions:**
  - Have Caltrans issue guidance on how cities/counties can execute MOUs



# OTHER ISSUES THAT NEED DEVELOPMENT

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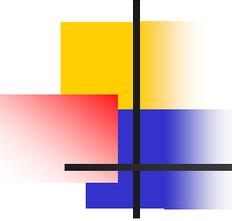
- Funding, budget shortfalls, meeting ongoing needs
- Legislative oversight
- Information dissemination
- Vehicle accessibility requirements



# LEGISLATIVE ANALYSIS AND RECOMMENDATIONS NEXT STEPS

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- Complete Draft Legislative Analysis Report and distribute for review and comment
- Schedule and conduct two subcommittee meetings to discuss key legislative issues prior to next MAP PAC meeting
- Present subcommittee findings at next MAP PAC meeting
- Revise draft report to include NCSL research and legislative reports, stakeholder involvement and subcommittee discussion input and MAP PAC comments input to develop draft final report

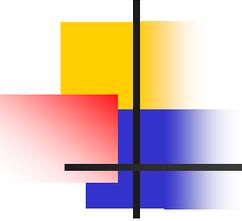


# LEGISLATIVE REPORT

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## **Deliverable:**

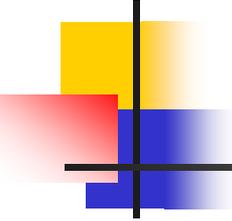
Final Legislative Analysis Report:  
Documenting methodology, findings  
and recommendations related to the  
legislative review and analysis process  
conducted by NCSL by end of  
December 2009.



# END OF LEGISLATIVE UPDATE

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- Additional Questions and Answers?

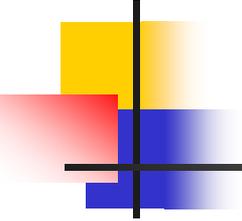


# LARGE/SMALL URBAN AND RURAL PLANS STATEWIDE EXECUTIVE SUMMARY

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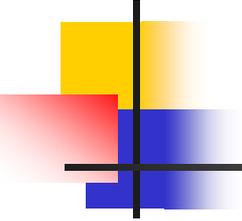
- Completion of Large/Small Urban and Rural Public Transit-Human Services Coordinated Plan Review
- Plans Reviewed from 43 counties
- Summary information compiled and documented
- Statewide Executive Summaries (Large and Small Urban and Rural documents in preliminary draft status)
- Recently completed Merced County plan will be incorporated into draft document

# LARGE/SMALL URBAN AND RURAL COORDINATED PLANS EXECUTIVE SUMMARY



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- Summary of following plan elements from each of 43 regions:
  - Transportation Needs
  - Transportation Resources
  - Gaps
  - Barriers
  - Priorities
  - Recommendations

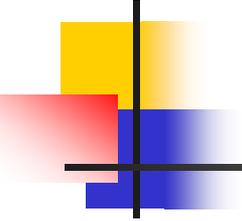


# LARGE/SMALL URBAN AND RURAL COORDINATED PLANS EXECUTIVE SUMMARY

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## **Deliverable:**

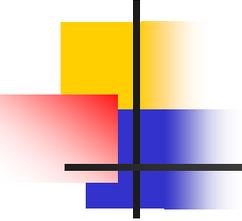
- Draft Statewide Executive Summary documents: Large and Small Urban and Rural areas to include methodology, findings and recommendations will be completed for review by the end of October 2009.



# STAKEHOLDER INVOLVEMENT: WORK ACTIVITIES COMPLETED

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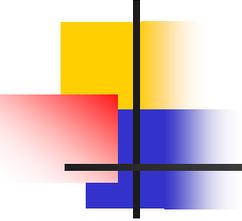
- Communication and Coordination with Regional Agencies (MPOs/RTPAs) in Each County
- Conducted 54 Opinion Leader Interviews
  - All MAP PAC Members, MPOs/RTPAs and agency/organization referrals and requests
- Scheduled and Conducted 11 Regional Roundtables via telephone



# STAKEHOLDER INVOLVEMENT: INTERVIEW METHODOLOGY

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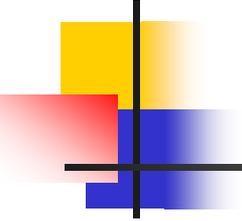
- Telephone Interview Guide used – 14 total questions – some questions multiple part
- Distributed to MAP PAC with notice and instructions; additional interview guides distributed to MPOs/RTPAs and other stakeholders over time
- About half of the interviews scheduled and conducted by telephone by JNTC project team; others completed by agencies and organizations without assistance
- Project team contacted stakeholders numerous times to solicit and obtain participation
- To date, 54 agencies/organizations returned completed questionnaires



# STAKEHOLDER INVOLVEMENT: INTERVIEW QUESTIONNAIRE

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- Questionnaire Topics:
  - Roles and Responsibilities related to Transportation
  - Funding Sources Used for Transportation
  - Understanding and/or Participation in Coordinated Projects
  - Perspectives on Regional Coordination Efforts
  - Barriers, Policies and Practices that Inhibit Coordination; Suggestions
  - Understanding of Mobility Management
  - Ideas for Improving PT and HAS communications
  - Statewide Priorities



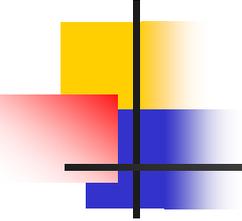
# STAKEHOLDER INVOLVEMENT: INTERVIEW HIGHLIGHTS

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## Breakdown of Agencies Responding:

- 8 Advocacy Groups
- 1 Healthcare Agency
- 1 Private transportation provider
- 4 Public Agencies (e.g. DMV, CHP, etc.)
- 14 Social Services Agencies
- 26 Transit and Planning Agencies

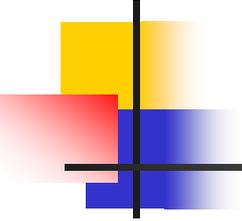
54 Total Agencies/Organizations – broad cross section participating – not all questions answered by everyone



# STAKEHOLDER INVOLVEMENT: INTERVIEW HIGHLIGHTS

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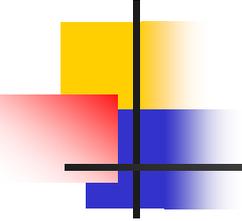
- **Q1: Directly operate transportation or contract for service(s)?**
  - About half of respondents directly operate or contract out for transportation service(s)
- **Q2: Arrange transportation for customers and/or clients?**
  - Less than half of the respondents indicated that they arrange transportation for customers and/or clients



# STAKEHOLDER INVOLVEMENT: INTERVIEW HIGHLIGHTS

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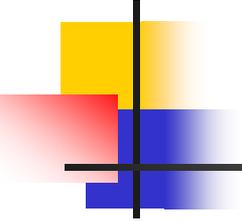
- **Q3: Offer referrals to transportation?**
  - Three-quarters of those responding indicated that they provide referrals to customers and/or clients to transportation
- **Q:4: Subsidize transportation for customers and/or clients?**
  - About two-thirds of respondents indicated that they Do Not subsidize transportation for customers and/or clients



# STAKEHOLDER INVOLVEMENT: INTERVIEW HIGHLIGHTS

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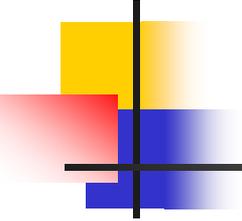
- **Q5: Receive Federal, State or Local funding for transportation?**
  - Vast majority of respondents indicated that they received Federal, State or Local funding for transportation



# STAKEHOLDER INVOLVEMENT: INTERVIEW HIGHLIGHTS

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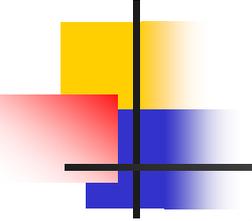
- **Q5a: What funding does agency/organization receive?**
  - Sources Cited:
    - FTA 5303, 5304, 5309, 5310, 5311, 5316, 5317, CMAQ
    - LTF, STA, TDA, STP, Prop 1B, State Planning grants
    - Older Americans Act
    - Federal Medicaid Waiver \$; Medi-Cal
    - Dept. of Developmental Services
    - Tobacco Settlement
    - Office on Aging Senior Mobility Funding
    - Local Sales Tax Measures and Propositions



# STAKEHOLDER INVOLVEMENT: INTERVIEW HIGHLIGHTS

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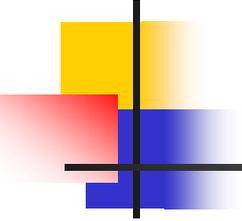
- **Q6: Familiar with JARC and New Freedom funding programs?**
  - Vast majority of respondents indicated that they were familiar with JARC and New Freedom funding programs
- **Q6a: Participate in the funding process for JARC and New Freedom?**
  - Over half of those responding indicated that they had participated in the JARC and New Freedom funding process in their region; just over one-third indicated that they had not participated



# STAKEHOLDER INVOLVEMENT: INTERVIEW HIGHLIGHTS

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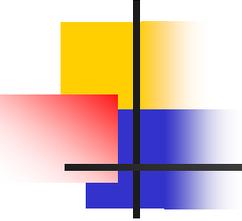
- **Of those agencies/organizations who indicated that they did not participate in the funding process:**
  - Almost half of the agencies/organizations were located in Caltrans District/MAP Study geographic Region 3 (Sacramento - Urban) – only one agency was a County MPO
  - In Sacramento: Majority were state public agencies (DMV, DPSS, CHP, etc.)
  - In addition, almost one-quarter of agencies/organizations located in Caltrans District/MAP Study Region 11 (San Diego - Urban)
  - Non-participation in cited other areas: District/Region 7 (Los Angeles) & District/Region 2 (Redding)



# STAKEHOLDER INVOLVEMENT: INTERVIEW HIGHLIGHTS

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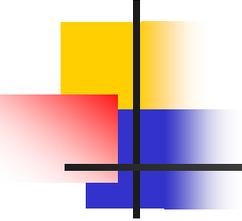
- **Q6b.: If your agency/organization did not participate in the funding process, why not?**
  - Reasons cited:
    - No projects identified or ready to launch
    - Staffing limitations
    - Not a transportation provider
    - Did not know
    - Not qualified
    - High administrative burden for limited funding



# STAKEHOLDER INVOLVEMENT: INTERVIEW HIGHLIGHTS

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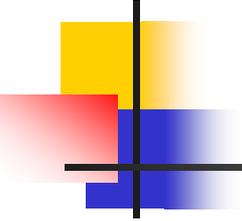
- **Q6c: If your agency did participate in JARC and New Freedom funding process, were you awarded funding?**
  - Almost half of the respondents indicated that they were awarded funding; and the exact same number indicated that they were not awarded funding
  - The # of agencies/organizations not awarded funding strongly correlates to the # of those who did not participate in the participate in the funding process



# STAKEHOLDER INVOLVEMENT: INTERVIEW HIGHLIGHTS

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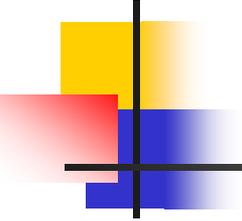
- **Q6d: If funding was awarded what types of projects funded?**
  - **Project examples cited:**
    - Mobility Management Resource Center Funding
    - Sub-regional mobility management pilot
    - Door-through-Door services
    - Supporting vanpool efforts
    - Travel training
    - Accessible taxis
    - Bus stop path of travel accessibility
    - Evening and weekend service enhancements



# STAKEHOLDER INVOLVEMENT: INTERVIEW HIGHLIGHTS

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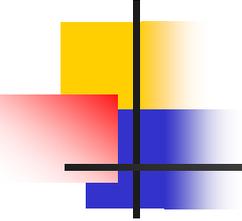
- **Q7:Involved in Coordinated Plan development process?**
  - Vast majority of agencies and organizations responding indicated that they had been involved in the Coordinated Plan development process



# STAKEHOLDER INVOLVEMENT: INTERVIEW HIGHLIGHTS

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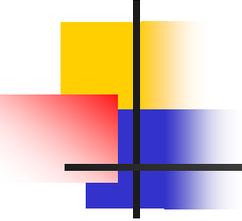
- **Q7a.: If your agency/organization was not involved in the Coordinated Plan development process, why not?**
  - Some reasons cited:
    - Meetings times/locations were inconvenient
    - Not invited to attend meetings or participate
    - No notice received
    - Other priorities
    - Process was highly politicized; lacked analytical rigor



# STAKEHOLDER INVOLVEMENT: INTERVIEW HIGHLIGHTS

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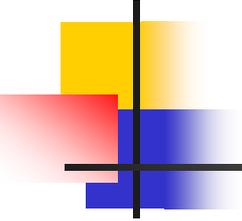
- **Of those agencies/organizations who indicated that they were not involved in the development of the Coordinated Plan:**
  - More than half of these agencies/organizations were located in Caltrans District/MAP Study geographic Region 3 (Sacramento – Urban)
  - Other area citing non-participation: District/Region 7 (Los Angeles – Urban)



# STAKEHOLDER INVOLVEMENT: INTERVIEW HIGHLIGHTS

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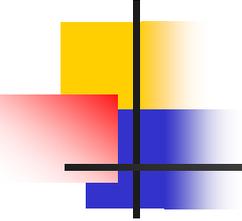
- **Q7c:Has the development of the Coordinated Plan in your region been successful in helping to promote coordination?**
  - More than half of those responding indicated that they believed that development of the Coordinated plan has helped coordination;
  - Almost one-third of the agencies/stakeholders participating did not respond to the question; a small number answered in affirmative



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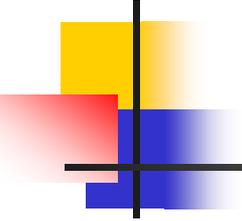
- **Q7d: Ideas about additional support?**
  - **Suggestions:**
    - CTSA's need to be recognized and strengthened
    - Standardized structured Travel Training program developed at State level
    - More inter-county coordination needed
    - More funding; Need operational subsidies
    - Regional agencies need more examples of useful practices and workshops on HOW



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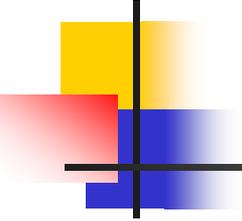
- **Q8: Aware of existing internal or external policies which limit and/or prohibit coordination?**
  - More than two-thirds of those responding indicated that they are aware of existing internal or external policies with limit coordination.



# STAKEHOLDER INVOLVEMENT: INTERVIEW HIGHLIGHTS

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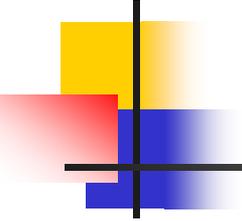
- **Barriers/limitations to coordination cited:**
  - Funding (cited numerous times)
  - California Medicaid policies do not allow for coordination between Medicaid providers and public transit
  - Insurance liability related to vehicle sharing
  - TDA farebox recovery requirements
  - Institutional barriers between public transit and multiple providers
  - Limitations on existing funding sources inhibiting ability to share resources (requirements related to serving specific rider groups (Vets, school children, health plan members, etc.)



# STAKEHOLDER INVOLVEMENT: INTERVIEW HIGHLIGHTS

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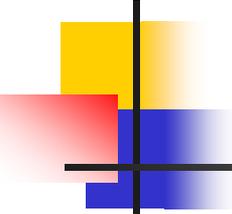
- **Q9: Awareness of local policies not being enforced?**
  - Almost two-thirds of those responding indicated that they are not aware of local policies which are not being enforced.



# STAKEHOLDER INVOLVEMENT: INTERVIEW HIGHLIGHTS

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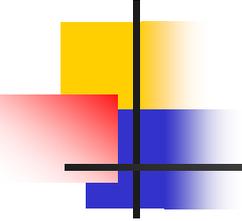
- **Q10: Suggestions to address or eliminate barriers?**
  - Coordinate with CTSA's and empower them; take steps to assure that each region has CTSA
  - State-level conferences that promote changes to CA NEMT reimbursement policies
  - Work with CA Medi-Cal to change their regulations
  - Make sure that funding is available for both operating and capital
  - Need flexible funding mechanisms
  - Open door policy for seamless path of travel from one district to another



# STAKEHOLDER INVOLVEMENT: INTERVIEW HIGHLIGHTS

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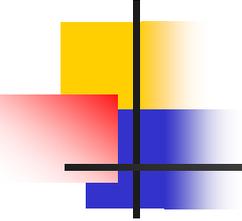
- **Q 11: Does your agency/organization have an understanding of Mobility Management?**
  - Almost all agencies/organizations indicated that they have an understanding of the concept of mobility management
- **Q 11a: If yes, have you proposed or implemented mobility management projects?**
  - Over half of those agencies/organizations responded that they have also proposed or implemented projects with a mobility management element



# STAKEHOLDER INVOLVEMENT: INTERVIEW HIGHLIGHTS

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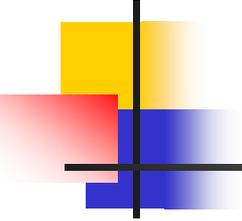
- **Q 12: Are agencies/organizations familiar with CTSAAs?**
  - Over three-quarters of those responding indicated that they are familiar with CTSAAs.
- **Q 12a: If yes, have you worked with CTSAAs on coordinated plans and/or projects?**
  - Slightly under two-thirds of respondents said that they had worked with CTSAAs on coordinated plans and/or projects



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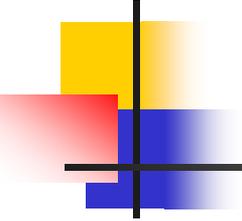
- **Q 13: Ideas for improving communication between public transit and human services?**
  - **Suggestions:**
    - Regional conferences, trainings and workshops between public transit and human services
    - Strengthen outreach efforts and membership opportunities within RTPAs SSTAC
    - Listen, follow-up and implement ideas that benefit the system as a whole
    - An Executive Order from the Governor to make agencies coordinate transportation resources
    - Stronger coordination efforts from state level down would help set precedent



# STAKEHOLDER INVOLVEMENT: INTERVIEW HIGHLIGHTS

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- **Q 14: Ideas for developing statewide priorities?**
  - Money to make it actually work and not just a mandate to coordinate
  - Land use and transportation accessibility
  - Need to pool findings and funding strategies
  - There has to be a statewide universal compliance of CTSA designation
  - Promote mobility management
  - Address accessibility compliance for persons with disabilities
  - Look at communication models that are effective and lead to coordination

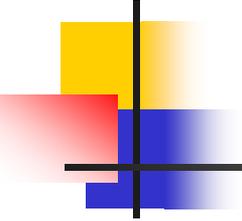


# STAKEHOLDER INVOLVEMENT: INTERVIEWS

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## **Deliverable:**

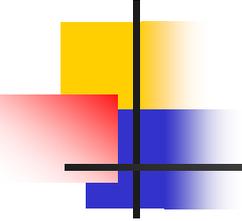
- Draft Stakeholder Involvement Report: Documenting methodology, findings and recommendations related to the stakeholder interviews process completed by end of October 2009.



# STAKEHOLDER INVOLVEMENT: ROUNDTABLE DISCUSSIONS

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- Completed 11 roundtable discussions facilitated by telephone with stakeholders in August and September 2009
- Caltrans Districts and MPOs/RTPAs instrumental in assisting project team
- Meeting summaries will be posted to Caltrans website once all are completed.
- Report will be drafted on methodology, findings and recommendations

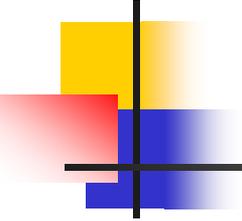


# STAKEHOLDER INVOLVEMENT: ROUNDTABLE DISCUSSIONS

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## **Deliverable:**

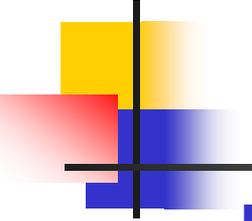
- Draft Stakeholder Involvement Report: Documenting methodology, findings and recommendations related to the roundtable discussion meeting process completed by end of October 2009.



# END OF STAKEHOLDER INVOLVEMENT UPDATE

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- Additional Questions and Answers?



## MEETING/NEXT STEPS

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- Next MAP PAC Meeting Date in 2009?/Subcommittee Volunteers???
- Distribute draft legislative report; Schedule and conduct legislative subcommittee meetings with MAP PAC on statute analysis and development of recommendations ; Receive comments on draft report
- Complete draft of Statewide Executive Summary documents; distribute for review and comment. Receive and incorporate comments for final;
- Complete draft of Stakeholder Involvement Report; distribute for review and comment. Receive and incorporate comments for final;
- Continue Funding Research