Rule Number 13 CSR 70-5.010

Use a "SEPARATE" rule transmittal sheet for EACH individual rulemaking.

Name of person to call with questions about this rule:
Content Sharie Hahn Phone (573) 526-3515 FAX (573) 522-6092
Email address Sharie.L.Hahn@dss.mo.gov

Data Entry Lisa Soldan Phone (573) 522-3037 FAX (573) 522-6092
Email address Lisa.Soldan@dss.mo.gov

Interagency mailing address DLS, Broadway Bldg, 221 W High Street, Room 230

TYPE OF RULEMAKING ACTION TO BE TAKEN
☐ Emergency Rulemaking __ Rule __ Amendment __ Rescission __ Termination
Effective Date for the Emergency

☒ Proposed Rulemaking __ Rule __ Amendment __ Rescission
☐ Rule Action Notice ☐ In Addition ☐ Rule Under Consideration
☐ Request for Non-Substantive Change
☐ Statement of Actual Cost
☐ Order of Rulemaking __ Withdrawal __ Adopt __ Amendment __ Rescission
Effective Date for the Order

☐ Statutory 30 days OR Specific date

Does the Order of Rulemaking contain changes to the rule text? ☐ NO
☐ YES—LIST THE SECTIONS WITH CHANGES, including any deleted rule text:
May 12, 2022

Rob Tillman
Special Counsel
Missouri Department of Social Services
Broadway State Office Building
Jefferson City, MO 65102

Dear Rob:

This office has received your Proposed Rulemaking for the following regulations:

- 13 CSR 70-3.200 – Order Terminating Emergency Amendment
- 13 CSR 70-4.051 – Proposed Rescission
- 13 CSR 70-5.010 – Proposed Amendment

Executive Order 17-03 requires this office's approval before state agencies release proposed regulations for notice and comment, amend existing regulations, rescind regulations, or adopt new regulations. After our review, we approve the submission to JCAR and the Secretary of State.

Sincerely,

[Signature]
Evans Rodriguez
Deputy Counsel
John R. Ashcroft  
Secretary of State  
Administrative Rules Division  
600 West Main Street  
Jefferson City, Missouri 65101

RE: 13 CSR 70-5.010 Nonemergency Medical Transportation (NEMT) Services

Dear Secretary of State Ashcroft:

CERTIFICATION OF ADMINISTRATIVE RULE

I do hereby certify that the attached is an accurate and complete copy of the proposed rulemaking lawfully submitted by the MO HealthNet Division, Department of Social Services.

The MO HealthNet Division, Department of Social Services further certifies that it has conducted an analysis of whether or not there has been a taking of real property pursuant to section § 536.017, RSMo 2000, that the proposed rulemaking does not constitute a taking of real property under relevant state and federal law.

The MO HealthNet Division, Department of Social Services has determined and hereby also certifies that if the proposed rulemaking does affect small business pursuant to sections 536.300 to 536.310, RSMo, a small business impact statement has been filed as required by those sections. If no small business impact statement has been filed the proposed rulemaking either does not affect small business or the small business requirements do not apply pursuant to section 536.300.4, RSMo.

Statutory Authority: sections 208.201 and 660.017, RSMo.

If there are any questions regarding the content of this proposed rulemaking, please contact:

Sharie Hahn  
221 West High Street, Room 230  
Jefferson City, MO 65102  
573-526-3515  
Sharie.L.Hahn@dss.mo.gov

Sincerely,

Robert Knodell  
Acting Director  
Department of Social Services

Attachments

AUXILIARY AIDS AND SERVICES ARE AVAILABLE UPON REQUEST TO INDIVIDUALS WITH DISABILITIES

TDD / TTY: 800-735-2966  
RELAY MISSOURI: 711

Missouri Department of Social Services is an Equal Opportunity Employer/Program.
May 23, 2022

Sarah Schappe, Director
Joint Committee on Administrative Rules
Capitol Building, Room B-8
Jefferson City, MO 65101

Dear Ms. Schappe:

RE: 13 CSR 70-5.010 Nonemergency Medical Transportation (NEMT) Services

Attached is an accurate and complete copy of the proposed rulemaking regarding the amendment of 13 CSR 70-5.010. This proposed amendment will be filed concurrently with the Secretary of State.

Statutory authority: sections 208.201 and 660.017, RSMo.

Sincerely,

Robert Knodell
Acting Director
Department of Social Services

Attachments
DECLARATION
OF PUBLIC COST

I, Robert Knodell, Acting Director of the Department of Social Services, do declare that it is my opinion that the cost of proposed amendment 13 CSR 70-5.010, is less than five hundred dollars ($500) in the aggregate to this agency, any other agency of state government, or any political subdivision thereof.

Sincerely,

Robert Knodell
Acting Director
Department of Social Services
PROPOSED AMENDMENT

13 CSR 70-5.010 Nonemergency Medical Transportation (NEMT) Services

PURPOSE: This proposed amendment will allow MO HealthNet participants to receive transportation services to a pharmacy to receive vaccinations during a scheduled appointment.

(1) The MO HealthNet Division (MHD) or its contractor shall reimburse eligible participants or nonemergency medical transportation (NEMT) providers for medically necessary transportation only if a participant does not have access to transportation services that are available free of charge.

(A) The participant must have an appointment for any medical treatment that is approved by MHD.

(B) MHD will not reimburse eligible participants or (NEMT) providers for nonemergency medical transportation to a pharmacy or to any location where the purpose of the nonemergency transportation is to fill a pharmaceutical prescription. MHD will reimburse eligible participants or (NEMT) providers for nonemergency medical transportation to a pharmacy for a MHD participant to receive a scheduled vaccination.

(C) Alternative transportation services that may be provided free of charge include, but are not limited to, private vehicles, volunteers, relatives, a designated legal representative, an individual involved in the resident’s care, or transportation services provided by nursing facilities or other residential centers. Participants must not have access to free transportation in order to be eligible for reimbursement under this section.


PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars ($500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars ($500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Department of Social Services, Legal Services Division.
Rulemaking, P.O. Box 1527, Jefferson City, MO 65102-1527, or by email to Rules.Comment@dss.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.