

Summary of Public Comments Received and The Office of Developmental Programs' Responses Regarding the Transportation - Trip Proposed Public Notice for the Adult Autism Waiver

The Department published its proposed Fee Schedule Rates for Transportation-Trip at 49 Pa.B. 7254 (December 7, 2019). The Department received comments from five stakeholders regarding the Fee Schedule Rates. As a result of the comments received, the Department did not make changes to the Fee Schedule Rates for Transportation-Trip in the Adult Autism Waiver.

- One comment indicated that the proposed rates are too low based on the reimbursement being only for the miles in which the individual is being transported and not the miles from which the provider incurs when leaving the provider agency and returning again after the trip. The commenter indicated that placing multiple individuals on a vehicle to help off-set costs is not always feasible in rural areas.

ODP Response: The fee schedule rates implemented in the Adult Autism Waiver are the same rates assigned to providers of Transportation Trip in the Consolidated, Community Living and Person/Family Directed Support waivers (ID/A Waivers) when the ID/A waiver provider does not submit a cost report, does not successfully submit a cost report that is approved by ODP, or fails to submit an audit.

- Two comments recommended that the unit of payment should not be designated based on mileage alone since there are many other variables that affect the cost of a trip.

ODP Response: The Transportation Trip fee schedule includes costs other than "mileage," including direct care wages, other program staff wages (ie. Dispatcher), employee related expenses for full time employees, paid time off, and other/indirect assumptions including vehicle depreciation, insurance, repairs and maintenance, fuel and administration.

- Four comments recommended that ODP allow cost-reporting for Transportation Trip. The reasons cited for this recommendation include ODP not taking into account providers that must comply with Public Utility Commission (PUC) mandates and concern that fee schedule rates will be implemented in the ID/A waivers as well.

ODP Response: All services in the Adult Autism Waiver are paid based on a Medical Assistance fee schedule or on invoice costs for vendor services. The approved waiver does not allow for cost-based rates.

- Three comments questioned the costs for aides not being included on the fee schedule.

ODP Response: The rate assumptions for Transportation Trip included costs associated with Direct Care Wages for “aides.”

- Two comments suggested that the assumptions for the staff wages is impacted by the inaccurate assumptions of full and part-time employees and must be corrected.

ODP Response: The fee schedule rates implemented in the Adult Autism Waiver are the same rates assigned to providers of Transportation Trip in the ID/A Waivers when the ID/A waiver provider does not submit a cost report, does not successfully submit a cost report that is approved by ODP, or fails to submit an audit. The Full Time/Part Time split of 30% / 70% is informed by historical cost reporting from providers rendering Transportation Trip in the ID/A waivers.

- Two comments recommended that overtime be accounted for in the assumption log and that a market-based overtime assumption be used for rate setting purposes.

ODP Response: Overtime is included in the rate assumption and informed by historical cost reporting in ID/A waivers. The Transportation Trip fee schedule rates are the same found in the Person/Family Directed Support, Community Living, and the Consolidated waivers (ID/A Waivers) when an agency does not submit a cost report.

- Two comments recommended that the intent or definition of the Productivity Assumption and Productivity/Absentee Factor Assumption be clarified as it relates to Transportation-Trip. The commenters recommended that more clarification and recalculation of the assumptions log is needed.

ODP Response: The fee schedule rates implemented in the Adult Autism Waiver are the same rates assigned to providers of Transportation Trip in the ID/A Waivers when the ID/A waiver provider does not submit a cost report, does not successfully submit a cost report that is approved by ODP, or fails to submit an audit.

- Two comments indicated that the 10% administrative fee assumption is unexplained and not consistent with providers’ actual and higher cost experience. Commenters recommended that ODP to clearly identify and define the data that is relied on to support the administrative cap assumption and align the assumptions with valid data.

ODP Response: The administrative percentage contained in the assumption log is calculated in accordance with CMS guidance for establishing fee schedules found at Rate Methodology in a FFS HCBS Structure at <https://www.medicaid.gov/sites/default/files/2019-12/rate-setting-methodology.pdf>

- Two comments requested that ODP review the fee schedule for group transportation verses individual transportation.

ODP Response: ODP does not currently establish group transportation rates. Transportation Trip is billed per individual receiving the service. As more individuals authorized for Transportation Trip receive the service an agency would be able to bill for multiple persons (or a group).

- Two comments requested different rates for when providers transport an individual verses when a family member transports an individual.

ODP Response: ODP will monitor the utilization of transportation provided by families and providers to determine if separate fees are warranted.

- One comment suggested that ODP consider the use UBER or LYFT.

ODP Response: Ride sharing services (ex. UBER, LYFT) are considered public transportation and are eligible for reimbursement through the waiver. Ride sharing services are not covered under Transportation – Trip. ODP has proposed no changes in how public transportation is provided or reimbursed.