

## 7. Key Recommendations

*It's not just federal*

The purpose of the FOW is to identify solutions to streamline requirements and increase efficiencies in transportation services provided for persons with special transportation needs. Following is a summary of the recommendations of the 2010 Federal Opportunities Workgroup.<sup>23</sup> While the primary focus of the work was on federal requirements, the recommendations also require the attention of the state.

### VISION

Transportation services are coordinated to decrease barriers to accessing employment, medical and social services, or critical activities of daily living.

### GOALS

The recommendations that follow are attached to specific strategic goals.

- 1) Support accessible, people centric transportation systems that are simple, flexible, and safe
- 2) Transportation costs among federal, state, and local programs are shared fairly
- 3) Increase trips, fill empty seats, and reduce vehicle miles traveled
- 4) Eliminate unnecessary redundancies and streamline processes to improve the efficiency of our transportation systems

### RECOMMENDATIONS TO THE WASHINGTON STATE LEGISLATURE

***FOW Vision Recommendation:*** The Federal Opportunity Workgroup recommends that the Agency Council on Coordinated Transportation be renewed and consider the formal adoption of the 15-Year Vision for Washington State Coordinated Transportation System (Diagram 1) as part of ACCTs overall strategic planning and performance reporting. ACCT should focus on the implementation of the pilots

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<sup>23</sup> NOTE: In preparing the cost sharing recommendations, the FOW agreed upon the following set of principles:

- Before implementation, recommendations are supported by a fiscal analysis and a State Plan Amendment, which are approved by the Centers for Medicare and Medicaid Services and funded by the State Legislature.
- Transit agencies should be compensated more than the public fare when providing a NEMT paratransit trip arranged by a NEMT broker.
- NEMT trips should continue to be brokered to the lowest cost, most appropriate providers.
- The competitive process remains intact. The role of private and non-profit transportation providers is highly valued in the NEMT provider pool.
- The impact on passengers should be minimized.

outlined in this report and report back on the performance along with recommendations on performance measures and whether the pilots should be extended into the future and to other regions.

Each recommendation that follows is related to the specific goal and desired feature of the 15-Year Vision. The desire of the Federal Opportunities Workgroup is that the successful implementation of the following recommendations will bring the state closer to reaching the overall vision and Goals.

***FOW Comparable Rate Recommendation:*** The Federal Opportunities Workgroup recommends that ACCT’s enabling legislation be expanded to direct the council to work on providing technical assistance for negotiating a comparable state human services rate, if needed. This is dependent on the response that ACCT gets from the Federal Medicaid Program on its proposed pilots.

***FOW Pilot Recommendation:*** The Federal Opportunities Workgroup recommends that ACCT be renewed and that they work with the pilot projects to track and report the project results in the terms defined in this study, and make recommendations where appropriate. Recommendations could include clarity of definitions or improvements to the cost and performance systems and reporting requirements of the Federal Transit Administration, the Washington State Department of Transportation, the Washington State Department of Health and Human Services, and the Washington State Veteran’s Administration.

***FOW HIPAA Recommendation:*** The Federal Opportunities Workgroup recommends that ACCT’s enabling legislation be expanded to work with the Washington Department of Social and Health Services (DSHS) to gain clarity from the U.S. Department of Health and Human services to:

- Confirm whether transportation providers are a business associate of a covered entity.
- Clarify how transportation providers can group trips efficiently while maintaining the privacy of protected health information.

ACCT will work with DSHS to communicate the clarified procedures with transportation brokers and providers.

***FOW Funding Recommendation:*** In any future transportation funding decision package, the Federal Opportunities Workgroup recommends that special needs transportation be considered with funds that could be used for:

- Increased funding to the NEMT program for transit referrals to the NEMT brokers.
- Increased basic level of community transportation funding for critical unfunded transportation needs
- Funding for technical assistance and technology that supports cost sharing and coordinated scheduling.

### ***RECOMMENDATIONS TO WASHINGTON STATE ADMINISTRATIVE BRANCH***

***FOW Medicaid and ADA Transit Recommendation:*** The Federal Opportunities Workgroup recommends that the NEMT program pursue an ADA referral policy where all NEMT paratransit services that are arranged by brokers be funded by the Medicaid Program, and transit agencies may pursue a NEMT referral policy where all NEMT trips be referred to NEMT brokers. The key benefit of this recommendation is that it leverages as much federal funding for human service transportation as possible, and provides more capacity for transits to provide services for people with disabilities.

***FOW Reporting Recommendation:*** The Federal Opportunities Workgroup recommends that state agencies assess their data reporting requirements, identify which data elements are used to measure performance or used to allocate costs, and eliminate collection of unused data.

***FOW Reporting by Type Recommendation:*** The Federal Opportunities Workgroup recommends that the following characteristics of trips should be taken into account when reporting performance information.

Population:	Rural, small urban, urban and/or population density
Mode:	Demand response, fixed-route, volunteer,
Trip Type:	Curb to curb, door to door, door through door

Assumptions should be clearly highlighted when comparing performance data between systems or projects.

***FOW Executive Order Recommendation:*** The Federal Opportunities Workgroup recommends that the Washington State Governor’s Office issues an executive order to all state agencies that encourage federal, state and locally-funded transportation programs to share trips when cost effective.

## ***RECOMMENDATIONS TO THE FEDERAL GOVERNMENT***

***FOW CMS Response Recommendation:*** The Federal Opportunities Workgroup recommends that the Centers for Medicare and Medicaid immediately respond to the September 2010 letter, and respond within 6 months to any state plan amendment regarding changes to the NEMT program.

***FOW CMS and VA Recommendation:*** The Federal Opportunities Workgroup recommends that the Centers for Medicare and Medicaid Services and the Veteran’s Administration allow more flexible cost allocation methodologies as long as it is more cost efficient for participating programs.

***FOW Recommendation 11:*** The Federal Opportunities Workgroup recommends that federal and state agencies assess their data reporting requirements, identify which data elements are used to measure performance or used to allocate costs, and eliminate collection of unused data.

***FOW Volunteer Driver Recommendation:*** The Federal Opportunities Workgroup recommends supporting legislation that will adequately cover the costs incurred by volunteer drivers, thereby encouraging volunteerism and promoting coordination of special needs transportation in our communities. Any legislation should:

1. Exempt from a volunteer’s taxable income any reimbursement by a charity for mileage up to the business rate;
2. Give the Treasury Department authority to change the volunteer mileage deduction rate, which has been fixed in statute at 14 cents per mile since 1997; and
3. Raise the volunteer mileage deduction immediately to 70 percent of the standard business deduction rate.