

SENATE BILL REPORT

ESHB 2072

As Reported by Senate Committee On:
Transportation, March 31, 2009
Ways & Means, April 6, 2009

Title: An act relating to advancing effective transportation for persons with special transportation needs.

Brief Description: Concerning transportation for persons with special transportation needs.

Sponsors: House Committee on Transportation (originally sponsored by Representatives Wallace, Clibborn and Wood).

Brief History: Passed House: 3/06/09, 95-0.

Committee Activity: Transportation: 3/19/09, 3/31/09 [DPA].
Ways & Means: 4/03/09, 4/06/09 [DPA, w/oRec].

SENATE COMMITTEE ON TRANSPORTATION

Majority Report: Do pass as amended.

Signed by Senators Haugen, Chair; Marr, Vice Chair; Swecker, Ranking Minority Member; Becker, Berkey, Delvin, Eide, Jarrett, Kauffman, Kilmer, King, Ranker and Sheldon.

Staff: Wendy Malkin (786-7434)

SENATE COMMITTEE ON WAYS & MEANS

Majority Report: Do pass as amended.

Signed by Senators Prentice, Chair; Fraser, Vice Chair, Capital Budget Chair; Tom, Vice Chair, Operating Budget; Zarelli, Ranking Minority Member; Brandland, Fairley, Hobbs, Honeyford, Keiser, Kline, Kohl-Welles, McDermott, Murray, Oemig, Parlette, Pflug, Pridemore, Regala and Rockefeller.

Minority Report: That it be referred without recommendation.

Signed by Senator Schoesler.

Staff: Michael Bezanson (786-7449)

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Background: Under Washington law, persons with special transportation needs means those persons, including their personal attendants, who because of physical or mental disability, income status, or age are unable to transport themselves or to purchase transportation.

Joint Transportation Committee (JTC) Study on Special Needs Transportation Coordination. In 2007 the Legislature directed JTC to study strategies for providing effective coordination of special needs transportation. The study, which was finalized in January 2009, identified several barriers to coordination and made several recommendations for improvement. One recommendation of the study is to improve coordination on the local level through local coordination councils. About 20 special needs local coordination councils currently exist within the state, but there is no official connection between the local councils and any state transportation program or agency. A second recommendation is to strengthen the existing Agency Council on Coordinated Transportation (ACCT), which is a council of state agencies, transportation providers, consumer advocates, and legislators.

Medicaid and Transportation. Washington manages its Medicaid transportation through a system of eight contracted brokers for the state's 13 nonemergency Medicaid transportation service regions. The transportation brokers typically operate a toll-free telephone service for scheduling nonemergency transportation to medical appointments, verify client eligibility, and contract for the provision of transportation services.

Summary of Bill (Recommended Amendments): The Agency Council on Coordinated Transportation (ACCT). ACCT is strengthened and its membership is increased. In addition, ACCT is reauthorized until June 30, 2011, and it is given several new duties. Its new duties include establishing performance measures and objectives for evaluating ACCT's work; developing common service definitions and uniform performance and cost-reporting systems; and working with the Department of Social Health Services (DSHS) and the Washington State Patrol to establish a cost-effective single clearinghouse for driver background checks.

Local Coordinating Coalitions and Pilot Projects. ACCT is directed to appoint a local coordinating coalition (LCC) in two Medicaid brokerage regions. An LCC serves in an advisory capacity to ACCT, and it is staffed by the regional transportation planning organization (RTPO) serving the region. An LCC's duties include implementing a pilot project in each brokerage region to test and demonstrate cost-sharing and cost-saving opportunities.

Requirements for Tracking Transportation Expenditures. The Office of Superintendent of Public Instruction must develop a uniform process to track expenditures related to transporting homeless students.

Work Groups. A work group, appointed by ACCT, is created to engage relevant federal agencies in an analysis of the various federal definitions and reporting requirements across federal special needs transportation programs. The work group must identify ways to reduce or remove barriers to coordination, such as barriers to cost sharing and sharing client lists.

A second work group, appointed and chaired by ACCT, is created to consider recommendations from the 2009 JTC study. The work group is directed to consider, in

consultation with relevant federal agencies, recommendations related to the procurement and designation of transportation brokers, referred to as community access managers.

Other Provisions Related to Local Government. Transit agencies are directed to work collaboratively with the LCCs to advance the coordination of special needs transportation. Improved accessibility for persons with special transportation needs is added to criteria for eligible Transportation Benefit District improvement projects. RTPOs must include projects to advance coordination of special needs transportation in the coordinated transit-human services transportation plan.

Funding. The bill is null and void if not funded in the transportation budget.

EFFECT OF CHANGES MADE BY WAYS & MEANS COMMITTEE (Recommended Amendments): Removes state General Fund costs by removing the requirement for DSHS to collect and track data related to transportation purchased for all of its clients.

Clarifies that the single clearinghouse for driver background checks should be completed by the most cost-effective agency rather than specifying a lead agency.

EFFECT OF CHANGES MADE BY TRANSPORTATION COMMITTEE (Recommended Amendments): Provisions were added to the section that requires DSHS to collect data related to purchased transportation. The provisions provide alternative ways to collect data on purchased transportation in specific instances.

Appropriation: None.

Fiscal Note: Available.

Committee/Commission/Task Force Created: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony on Engrossed Substitute House Bill (Transportation): PRO: Pierce Transit is identified as one of the pilot project sites, and we are happy to participate if money is given for the purpose. Transit agencies support the null and void clause.

As a Medicaid broker, we routinely encounter many of the barriers the bill tries to address. The bill provides opportunities for expanding coordination and efficiencies, which is important in tough economic times. We appreciate that the bill recognizes the need to do the coordination without jeopardizing DSHS's application to switch to a medical match for nonemergency medical transportation. We appreciate that the bill allows testing through pilot projects rather than statewide implementation.

As a RTPO, we appreciate that funding for local government has been included in consideration of this bill. We also appreciate that RTPOs would be made full members of

ACCT. We would like to see the pilot areas implemented along RTPO lines rather than DSHS Medicaid broker lines.

Persons Testifying (Transportation): PRO: Marilyn Mason-Plunkett, Hopelink; Karen Parkhurst, Thurston County RTPO; Michael Shaw, Washington Transit Association; Melissa Gombosky, Tim Renfro, Pierce Transit.

Staff Summary of Public Testimony (Ways & Means): None.

Persons Testifying (Ways & Means): No one.