

**TESTIMONY OF REPRESENTATIVE SANFORD D.
BISHOP, JR.
BEFORE THE HOUSE ENERGY AND COMMERCE
ON NON-EMERGENCY MEDICAL TRANSPORTATION**

JULY 25, 2019

I would like to thank Chairman Pallone, Ranking Member Walden, and Members of the House Energy and Commerce Subcommittee on Health for giving me the opportunity to testify this morning on an issue of great importance to the delivery of health care, especially in rural communities across the nation.

The issue is Non-Emergency Medical Transportation, or NEMT, which currently provides Medicaid beneficiaries with rides to medical appointments each year. This benefit, which has been in place since Medicaid's inception in 1966, has come under attack recently by the Centers for Medicare and Medicaid Services, which has sought to roll it back by making it optional at the state level.

Such a change would have wreaked havoc on millions of Americans' ability to get to and from their doctor quickly and, most importantly, safely.

Individuals who bear the highest burden of chronic conditions including cancer, HIV, substance abuse disorder,

and end stage renal disease would not have been able to access vital medical services like chemotherapy, physical therapy, and dialysis.

They also would not have been able to travel to pharmacists to obtain drug prescriptions or medical supplies. In Georgia alone, non-emergency medical transportation transported patients nearly 60,000 times last year to the pharmacy to pick up prescriptions that are important to their adherence to a plan of care.

Ending Medicaid coverage for non-emergency medical transportation would literally have been a matter of life and death for many of these individuals.

Earlier this year, I sent a letter to Representative Rosa DeLauro, the Chair of the House Appropriations Subcommittee on Labor, Health and Human Services, Education, and Related Agencies, and Ranking Member Tom Cole opposing this change. The letter requested legislative language in the appropriations bill blocking funding for the implementation of the rule change. It was signed by the entire House Congressional Black Caucus and received important bipartisan support from a number of my Republican colleagues in the United States House of Representatives. I ask unanimous consent that the letter be included in the record.

Sixty NEMT stakeholders including groups representing Medicaid beneficiaries with substance user

disorder, behavioral disorders and end stage renal disease also sent a letter opposing the rule change.

I am pleased to report that the language was successfully added to the Fiscal Year 2020 Labor-HHS Appropriations bill in an amendment offered by Chairwoman DeLauro.

Following its inclusion in the bill, we heard word from CMS that they will not try to promulgate the rule until after the 2020 elections. Although this news is welcome, we still have to be vigilant and ensure that this important benefit remains available to our most vulnerable citizens.

Yesterday, I joined my colleagues Tony Cardenas, Tom Graves, and Buddy Carter in introducing bipartisan legislation that would codify, in Title XIX of the Social Security Act, the Medicaid transportation benefit.

The bill would simply preserve the status quo. It would add Non-Emergency Medical Transportation services for individuals without other means of transportation to the list of mandatory benefits that every state Medicaid program is required to provide by law.

According to CBO, the bill would have no cost provided we act before CMS publishes the proposed rule. I am hopeful that the legislation will be considered quickly by this

Subcommittee for inclusion in an extenders package by the end of this year.

In the coming weeks, I also plan on introducing legislation on the Medicare front as well. The legislation provide coverage for non-emergency medical transportation for patients who qualify for Medicare based on their end-stage renal disease. The measure is being finalized as we speak and the details are still being worked out.

I was inspired to work on this issue by a staff member in my Albany office whose daughter had end stage renal disease and subsequently had a successful kidney transplant in 2015.

I look forward to working with all of you in the days, weeks, and months ahead to ensure that these important transportation services are protected now and into the future.