



# **EOHHS Incident & Accident Management Requirements**

## ***Policy and Procedures for Non-Emergency Medical Transportation Contract***

Rhode Island Executive Office of Health and Human Services

**Update: April 8, 2024**

**Version 1.0**

# Introduction to Policy

The Executive Office of Health and Human Services (EOHHS) contracts to provide statewide transportation brokerage services for the Rhode Island Non-Emergency Medical Transportation (NEMT) Program. The NEMT Program is for:

1. Eligible and enrolled Medicaid beneficiaries;
2. Rhode Island residents over the age of sixty (60) who need transportation under the Elderly Transportation Program (ETP); and,
3. Monthly bus pass distribution under the Temporary Assistance for Needy Families (TANF) Program.

## Purpose

The purpose of this policy is to categorize incidents and accidents by Tier level to help ensure a structured and timely response to various types of incidents, emphasizing the safety and well-being of NEMT members using NEMT services. This policy is to outline requirements in Section 13.12 'Reports of Accidents and Moving Violations' and Section 13.13 'Complaint Tiers, Critical Incidents and Reporting timeframes in the contract. Furthermore, accidents with injuries or fatalities are directly classified as Tier 1 incidents requiring immediate and detailed reporting, along with appropriate documentation. Moving violations, while not explicitly categorized within the Tier system, are treated with similar urgency and documentation requirements. This integration underscores the importance of prompt and thorough reporting, documentation, and compliance to ensure safety, contractual compliance, and accountability in the NEMT Program.

## Policy

The effective date of this policy is July 1, 2023.

## Section 1: Procedures

The following section outlines NEMT procedures and requirements for incident and accident management. Transportation providers must comply with all EOHHS and contractual requirements.

### **A. Tier 1: Immediate Attention Required**

**Contractual Requirement: 13.13.1.1.1:** Issues or incidents involving safety, negligence and injury that require immediate attention. Such issues or incidents, include, but are not limited to injury requiring medical care or attention, accidents resulting in injury, evidence of weapon, assault, incidents that require police assistance, sexual harassment, and other incidents where the recipient in danger.

Examples of incidents that would be classified by EOHHS as Tier 1 Immediate Attention Required and requires the NEMT Contractor to comply with critical reporting incident timeframes:

- **Injury Requiring Immediate Medical Care or Emergency Services:** Any incident where an NEMT member is injured, becomes ill, or become unconscious during transport and requires medical attention.
- **Accidents Resulting in Injury or Death:** Vehicle accidents involving the NEMT service that result in injury to passengers in the vehicle or death (i.e., the member, driver, or guardian during transport).
- **Evidence of a Weapon or Assault:** Incidents involving weapons or physical assaults either in or around the NEMT vehicle or during a scheduled trip.
- **Incidents Requiring Police Assistance:** Any situation during transport where law enforcement needs to be involved other than a routine traffic or moving violation.
- **Harassment:** Any form of harassment, including, but not limited to sexual, verbal, or physical harassment, experienced by NEMT members during transport.
- **Illegal Activities by the Member, Driver, or Chaperone**
- **Dangerous Driving Resulting in Serious Safety Concern to Members or the Public:** Any situation that may result in serious harm to the member such.
- **Other Serious Safety Concerns:** Any other incident where the recipient is in immediate danger, such as attempted kidnapping, abuse, or other serious safety concerns related to the safe transport of a NEMT Member.
- **Incidents Related to a Minor or Elderly Welfare:** Any incidents that are required to be reported under mandatory reporting under RIGL that impacts that impact the welfare of a minor or elderly, such as child or elderly abuse.

#### **Reporting Timeframe and Responsibilities:**

- **Must be reported to EOHHS immediately, but no later than within six (6) hours from when the Contractor is first informed of the incident.**
- The Contractor is responsible for providing police reports and all associated documentation regarding these incidents.

#### **B. Tier 2: Service Issues**

**Contractual Requirement 13.13.1.2.1:** Issues or incidents involving service issues such as accidents without injury (with/without police assistance), wheelchair tie-down issues (not resulting in injury), unresolved disagreements, habitual driver no-show/late/rudeness and other disruptions and questionable behaviors by Contractor and subcontractor staff. Examples of incidents that would be classified by EOHHS as Tier 2 Service issues and requires the NEMT Contractor to comply with reporting incident timeframes:

- **Accidents Without Injury:** Traffic incidents involving NEMT vehicles where there are no injuries.

- **Wheelchair or Stretcher Tie-Down Issues (Non-Injurious):** Problems with securing wheelchairs in the vehicle that do not result in injury.
- **Habitual Driver Issues:** Regular occurrences of driver no-shows, lateness, rudeness, or behaviors that are deemed unprofessional conduct by drivers operating a NEMT vehicle.
- **Other Disruptions and Questionable Behaviors:** Various disruptions or questionable behaviors by Contractor staff that don't pose immediate danger but affect service quality or the ability for a member to safely access their NEMT benefit.

**Reporting Timeframe and Responsibilities:**

- Must be reported to EOHHS within forty-eight (48) hours from when the Contractor is first informed or aware of the incident.
- The Contractor is responsible for providing relevant documentation and police reports if applicable.

**General Responsibilities of the Contractor for Tier 1 and 2:**

The Contractor is responsible for obtaining police reports, if available, promptly for Tier 1 and 2 complaints that result in bodily harm.

The contractor is responsible for submitting a breakdown of this information at bi-weekly Oversight meetings and at the cadence indicated on the reporting calendar.

**C. Tier 3: Isolated Service or Behavior Issues**

**Contractual Requirement 13.13.1.3.1:** Issues or incidents involving isolated service or behavior issues such as loud music, isolated provider/recipient late, vehicle cleanliness. Examples of Incidents that EOHHS would classify as Tier 3 would be:

- **Loud Music:** Issues with loud music in the vehicle.
- **Isolated Lateness:** Instances of providers or recipients being late.
- **Vehicle Cleanliness:** Concerns about the cleanliness of the NEMT vehicle.

**Reporting Timeframe and Responsibilities:**

The contractor is responsible for submitting a breakdown of this information at bi-weekly Oversight meetings and at the cadence indicated on the reporting calendar.

**D. Special Requirements Related to Accidents and Moving Violations:**

Accidents with Injuries or Fatalities (13.12.1 & 13.12.2): These would fall under Tier 1 incidents since they involve safety, negligence, and injury requiring immediate attention.

The Contractor must notify EOHHS immediately of any such accidents, aligning with the immediate reporting requirement of Tier 1 incidents. A written accident report must be filed with EOHHS within ten (10) business days of the accident, and a police report is required as supporting documentation. This aligns with the Tier 1 requirement for furnishing all associated documentation promptly.



Moving Violations (13.12.3): The Contractor must notify EOHHS immediately of any moving violations occurring during service delivery. A copy of the police report for the moving violation must be provided within ten (10) business days.

While moving violations might not directly fit into Tier 1 or Tier 2 categories, they are still critical as they relate to the safety and legality of the transportation service. **These could be seen as a specific subset of incidents requiring immediate notification and detailed follow-up by the NEMT Contractor.**

Record Keeping and TP Service Agreements (13.12.4): The NEMT Contractor must maintain copies of each accident report in the files of both the involved vehicle and driver, which is a prudent record-keeping practice aligning with the overall approach of the critical incident policy.

The requirements regarding accidents and moving violations must be incorporated into all service agreements with Transportation Providers (TPs), ensuring consistency and compliance across all service deliveries.

## Attachments to this Policy

1.   
Tier Scenarios  
03272024.xlsx
2.   
MTM\_CY  
2023-2024\_NEMT Re

## Policy Summary

<b>Policy Owner:</b>	RI NEMT Administrator		
<b>Policy Reviewers:</b>	Managed Care, Compliance		
<b>Effective Date:</b>	July 1, 2023		
<b>Policy Approved:</b>	<b>Name:</b>	Nina M. Lennon	<b>Date:</b> April 8, 2024
<b>Policy Reviewed:</b>	<b>Name:</b>		<b>Date:</b>
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