

PATIENT TRANSPORTATION — HOW TO LEGALLY GET PATIENTS IN THE DOOR

Providers are often looking for additional opportunities to engage patients and ensure compliance with treatment regimens. By implementing patient transportation programs, providers are able to help alleviate this frequent hurdle facing their patients. In addition, providers are able to increase efficiencies, avoid missed appointments and limit late arrivals by assisting patients with transportation to and from appointments. OIG has issued guidance and an Anti-Kickback Statute safe harbor outlining the necessary criteria to offer patient transportation in a low risk environment – below we offer practical recommendations to connect patients with caregivers.

- 1. Provide Point-to-Point Transportation.** Providers are able to offer transportation between a patient's home (or other location) and a provider's inpatient and outpatient facilities. This transportation option is typically the most convenient for patients, as it allows the patient to be picked up from his/her home and transported back home following the patient's appointment. Providers utilize a vehicle owned or operated by the provider and hire individuals to transport their patients. In order to do so, the provider must adopt a patient transportation policy that outlines the circumstances under which travel may be provided; for example: transportation may be provided to established patients seeking medically necessary services if the patient is located within a 25-mile radius of the provider location to which the patient is being transported (or 50 miles if the patient resides in a rural area as defined by OIG). The availability of transportation cannot be advertised to the public or used to promote other health care items and services during the transportation. The patient transportation safe harbor does not apply to air, ambulance or luxury transportation. If a provider chooses to provide patient transportation, it should bear the cost of the free or discounted transportation and should not shift this burden onto any federal health care programs, payors or individuals.
- 2. Consider Operating a Shuttle Service.** Providers may also offer shuttle services instead of or in addition to point-to-point transportation services. Shuttle services must comply with many of the same requirements as point-to-point transportation, with the exception that shuttle services may publicly post the pick-up times and locations for which the shuttle operates and the shuttle service can be made available to individuals who are not established patients of the provider. Although there can be no more than 25 miles between any stop on the shuttle's route and any stop at a location where health care items or services are provided (except that stops in rural areas, as defined by OIG, may be up to 50 miles from a location providing health care items and services), a shuttle service may allow providers to reach a broader geographic area depending upon the number of stops available on the shuttle route. A shuttle service may require additional planning and up-front costs as compared to point-to-point transportation due to the need to acquire a shuttle vehicle, identify shuttle stop locations and maintain a consistent schedule. Depending upon the needs of the provider's patient base, this option could result in wasted resources if the shuttle is frequently running without any patients.
- 3. Need a Lyft?** Many third party rideshare transportation services, such as Uber and Lyft, are marketing unique services arrangements to health care providers. These arrangements permit health care providers to schedule transportation for patients and have the transportation service bill the health care provider directly for these services. If a provider desires to engage these types of services for patient transportation, it is recommended that the standard level vehicle (not luxury or extra-large vehicles) be utilized for these services and the program should still comply with the same guidelines as regular point-to-point transportation. In addition, in order to limit any associated risk, providers may want to consider engaging these third party providers on a fixed fee basis instead of a per patient basis. Utilizing rideshare services enables providers to offer transportation without the need to obtain vehicles, hire drivers, etc., which allows providers to establish a patient transportation program with minimal start-up costs required.

No matter which transportation option or combination of various transportation methods works best for your organization, transportation can be an effective tool to ensure continuity of patient care. Interested in learning more? **Let's get started.**