

**STATE OF RHODE ISLAND  
DEPARTMENT OF HUMAN SERVICES  
DIVISION OF ELDERLY AFFAIRS**

**PUBLIC NOTICE OF PROPOSED RULE-MAKING**

In accordance Rhode Island General Laws (RIGL) 42-35, notice is hereby given that the Department of Human Services Division of Elderly Affairs proposes to amend the following rule:

**RULES, REGULATIONS AND STANDARDS GOVERNING SPECIALIZED  
TRANSPORTATION FOR ELDERS & PERSONS WITH DISABILITIES PROVIDED  
THROUGH THE RIDE PROGRAM AND MANAGED BY THE RHODE ISLAND  
DEPARTMENT OF ELDERLY AFFAIRS**

The proposed rule is being repealed as rules governing Specialized Transportation for Elders & Persons with Disabilities Provided through the RIDE Program and has been filed under the Medical Assistance Program earlier this year. The current Medical Assistance rules filed under the Executive Office of Health and Human Services describe the eligibility requirements and available services through the RIDE transportation program.

In the development of this rule, consideration was given to the following: (1) alternative approaches; and (2) overlap or duplication with other statutory and regulatory provisions. No alternative approach or duplication or overlap was identified based upon available information.

These proposed rules are accessible on the R.I. Secretary of State website (<http://www.sec.state.ri.us/ProposedRules/>) and the DHS website ([www.dhs.ri.gov](http://www.dhs.ri.gov)) or available in hard copy upon request (401 462-2018 or RI Relay, dial 711). Interested persons should submit data, views or written comments by November 9, 2012 to Kimberly Merolla-Brito, Office of Policy Development, RI Department of Human Services, Louis Pasteur Building, 57 Howard Avenue Fl # 1, Cranston, RI 02920.

In Accordance with RIGL 42-35-3, an oral hearing will be granted if requested by twenty-five (25) persons, by an agency or by an association having at least twenty-five (25) members. A request for an oral hearing must be made within thirty (30) days of this notice.

The Department of Human Services does not discriminate against individuals based on race, color, national origin, sex, gender identity or expression, sexual orientation, religious belief, political belief or handicap in acceptance for or provision of services or employment in its programs or activities.

~~STATE OF RHODE ISLAND~~

~~DEPARTMENT OF ELDERLY AFFAIRS~~

~~The John O. Pastore Complex  
Hazard Building / 2<sup>nd</sup> Floor  
74 West Road  
Cranston, Rhode Island 02920~~

~~Rules, Regulations and Standards Governing  
Specialized Transportation for Elders & Persons with Disabilities  
Provided Through the RIDE Program and Managed by the  
Rhode Island Department of Elderly Affairs~~

~~October, 2008~~

~~Donald L. Carcieri — Corinne Calise Russo  
Governor — Director~~

~~Rules & Regulations Governing  
Specialized Transportation for Elders & Persons with Disabilities  
Provided Through the RIDE Program and Managed by the  
Rhode Island Department of Elderly Affairs~~

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## ~~I. PREFACE~~

~~Pursuant to Rhode Island General Laws section 42-66-4, the Rhode Island Department of Elderly Affairs (DEA) manages the state transportation system for the elderly and persons with disabilities provided through the RIdE program (“RIdE Participants”). The goal of DEA is to manage and oversee the program so as to ensure the provision of quality and safe transportation services to qualified elderly and persons with disabilities. Specifically, emphasis is placed on priority categories of transport services in relation to existing state funding, vehicle and passenger safety and sensitivity to the needs and concerns of the elderly and disabled clients. DEA contracts with a broker/provider (RIPTA) for transportation services for the elderly and persons with disabilities. Transportation funds available through the DEA are specifically allocated for services to be provided for Rhode Island residents sixty (60) years of age and older and Rhode Island Department of Human Services (DHS) Medical Assistance clients.~~

~~RIdE services for elders and persons with disabilities are available to enable them to achieve and/or maintain self-sufficiency, including reduction or prevention of dependency or to support both mental and physical health by enabling clients to participate in community life, therefore preventing or reducing inappropriate institutional care.~~

## ~~II. PROGRAM AUTHORITY~~

~~The Specialized Transportation for Elders & Persons with Disabilities provided through the RIdE Program (RIdE Program) is authorized by, and these regulations are promulgated under, the authority of Rhode Island General Laws section 42-66-4, as amended.~~

## ~~III. APPLICABILITY~~

~~The Regulations contained herein apply solely to the state transportation system for the elderly and persons with disabilities provided through the RIdE program as provided for in Rhode Island General Laws section 42-55-4, as amended. These Regulations do not apply to or impact any aspect of the transportation system providing transportation pursuant to the State and Federal laws governing the accessibility of transportation services to individuals under the Americans with Disabilities Act (“ADA Transportation Services”). The ADA Transportation Services and accommodations are provided for through RIPTA and do not come within the scope of these Regulations.~~

## ~~IV. CLIENT ELIGIBILITY~~

~~Participants must be legal residents of the State of Rhode Island and shall be eligible for participation in the RIdE Program based on the following criteria:~~

- ~~1. Age sixty (60) or over; or~~
- ~~2. Eligible for services under the Rhode Island Department of Human Services, Medical Assistance Program; or~~
- ~~3. Disabled individuals with documented mobility and/or cognitive impairments.~~

~~As requested by the RIdE Program individuals seeking transportation through the RIdE Program, will be required to present documentation to substantiate their eligibility. Proof of legal Rhode Island residency and eligibility shall be limited to the production of one (1) or more of the following documents:—~~

- ~~1. original birth certificate;—~~
- ~~2. valid United States Passport;—~~
- ~~3. valid Rhode Island drivers license and/or Rhode Island state identification card issued by the Rhode Island Division of Motor Vehieles;—~~
- ~~4. original social security card;—~~
- ~~5. utility bill for a residence within Rhode Island in the name of the individual requesting RIdE services;—~~
- ~~or~~
- ~~6. medical documentation as requested by RIPTA and the RIdE Program regarding mobility capacity and disability.—~~

#### ~~**A. Medical Assistance**~~

~~Medical Assistance Client eligibility for the RIdE Program services shall be determined by the verification of eligibility through computer matching or other methods approved by the DHS. It is understood that the RIdE Program must predetermine client eligibility whenever information is received that would change an individual's eligibility status for ridership.—~~

~~Specific to eligibility for Medical Assistance participants, the following criteria shall apply:—~~

- ~~1. The service is designed to provide specific transportation needs to Medical Assistance recipients who are not Rite Care or Rite Share clients.—~~
- ~~2. These clients shall be transported for a medical/ health service that is part of a total patient plan of care supervised by a health care professional.—~~
- ~~3. Trips eligible under this service category shall include visits to physicians' offices as well as trips for tests and/ or treatments ordered by a health care professional as part of a treatment plan.—~~
- ~~4. The transportation service categories of DEA funded transportation defined below in Section V of these Regulations.—~~

~~The RIdE Program transportation shall be provided only when clients are unable to find alternative transportation or access RIPTA service because of documented mobility impairments.—~~

#### ~~**V. CLIENT CONTRIBUTION**~~

~~Client contributions in the form of Co Share levels for the elders and persons with disabilities participating in the specialized transportation through the RIdE Program shall be set by the Department of Elderly Affairs. Such CoShare levels are assessed to help offset transportation expenses and to provide more services in the present service categories.—~~

As of October 1, 2008, elders and persons with disabilities participating in the specialized transportation through the Ride program (Participants) shall pay a Co Share of two (2) dollars per one (1) way ride (Co Share).

The following Participants shall be exempt from the Co Share:

- a. persons on Medicaid;
- b. Adult Day Care Center clients.

All Co Share payments under the Ride Program shall be paid directly to the vendor of the Ride Program transportation service.

## ~~VI. CATEGORIES OF DEA FUNDED SERVICES~~

The following types of services shall be provided:

### ~~Special Medicals (Priority 1)~~

Special medical transportation shall include transportation for the purpose of kidney dialysis or cancer treatments. Names of clients to be transported are to be provided to the Ride Program by the medical treatment facility, family, friends, or the client themselves. The brokerage will insure that clients will spend the least amount of time in transport.

### ~~Elderly Day Care (Priority 2)~~

Transport to and from Adult Day Care Centers as licensed by the Department of Health (DoH). Residences of clients shall be verified by the Adult Day Care Center and provided to the Ride Program. Client contributions are not currently required for this DEA funded service. DEA shall provide an annual current listing of all Adult Day Care Centers licensed by DoH to the Ride Program, and will update the list more often as necessary. Adult Day Care Centers not on the list are not approved for DEA funded transportation. Non Medicaid Participants attending the Adult Day Care Centers shall not be required to contribute a co share for trips to and from the Adult Day Care Center.

### ~~Senior Nutrition Transportation (Priority 3)~~

Transport to and from congregate meal sites for the elderly. The Senior Nutrition Project shall be responsible for securing names and addresses of clients to be transported. This information shall be forwarded to the Ride Program for necessary scheduling. The Nutrition Site shall verify residence of all clients in the geographic area. DEA shall provide an annual current listing of meal sites funded by DEA to the Ride Program, and shall update the list more often as necessary. Centers not on the list are not approved for DEA funded transportation.

### ~~General Medicals (Priority 4)~~

Transportation for any medical/health services that is part of a total patient plan of care supervised by a health care professional. Trips eligible under this service category include visits to physicians' offices as well as all trips for tests and/or treatments ordered by a health care professional as part of a treatment plan.

## ~~INSIGHT~~

~~Transport to and from INSIGHT, 43 Jefferson Boulevard, Warwick, RI. Riders must be sixty (60) years of age or over, have a sight impaired condition and/or presently registered with the INSIGHT agency.~~

~~Transportation shall be at the discretion of DEA and available during the same days and hours as General Medical trips. Trip requests must be forwarded to the Ride Program at least two (2) weeks in advance and are subject to service availability.~~

## ~~VII. SERVICE PROVISION GUIDELINES~~

### ~~Door to Door~~

~~Transportation of the client from the outside door of his/her residence to the outside door of his/her destination. Door to door is defined in this instance as transport of the client from the ground level door of his/her residence to the ground level door of his/her destination. The dwelling should be accessible by means of a ramp, or client provided assistance.~~

~~Service shall include passenger assistance from the client's door to the van and from the van to the door of the destination when necessary. Each client case must be assessed on an individual basis as to need.~~

### ~~Transport to Nearest Sites~~

~~Transportation to meal sites, adult day care facilities, kidney dialysis, and cancer treatments shall be to the facility closest to the client's home. General medical trips shall be to the nearest health-care professional of choice whenever possible.~~

### ~~Days of Service~~

~~Service days shall include Monday-Friday. State holidays are not included as service days.~~

### ~~Passenger Cancellations~~

~~Passengers must make every effort to keep their scheduled trip appointments. If unable to keep an appointment, notification must be provided to the Ride Program twenty four (24) hours prior to the scheduled trip.~~

## ~~VIII. CLIENT COMPLAINT PROCEDURES~~

~~For complaints, the following steps shall be adhered to:~~

~~Passengers or their family members may lodge a formal written complaint directly to the Ride Program. If the Ride Program is unable to resolve the complaint with the individual or his/her family, Ride shall contact and work with DEA. If the complainant wishes to pursue his/her concern, the written complaint shall be forwarded to DEA. DEA staff shall work with the complainant and the Ride Program to resolve the complaint.~~