


**Michelle Lujan Grisham, Governor**  
Kari Armijo, Secretary Designate  
Alex Castillo Smith, Deputy Secretary  
Kathy Slater Huff, Deputy Secretary  
Kyra Ochoa, Deputy Secretary

**Letter of Direction #110**

**Date:** February 22, 2024

**To:** Centennial Care 2.0 Managed Care Organizations

**From:** Lorelei Kellogg, Deputy Director, Medical Assistance Division 

**Subject:** Implementation of Non-Emergency Transportation Network Companies

**Title:** Non-Emergency Transportation Network Companies

The New Mexico Human Services Department, Medical Assistance Division (HSD/MAD) is issuing this Letter of Direction (LOD) to Manage Care Organizations (MCO) for the purposes of implementing contracting and reimbursement to Non-Emergency Transportation Network Companies as passed in the 2023 Legislative session Senate Bill 485 (SB485).

HSD is adding the following changes in NMAC 8.324.7 Transportation Services and Lodging to follow SB 485.

**1. 8.324.7.10 (C) Eligible Providers:**

Non-emergency transportation certified by the NMPRC, within those geographic regions in the state specifically authorized by the New Mexico Public Regulation Commission (NMPRC).

- (1) vendors (taxicab, vans and other vehicles);
- (2) certain bus services; and
- (3) transportation network companies;

(a) "transportation network company" means a corporation, partnership, sole proprietorship or other entity that is licensed pursuant to the Transportation Network Company Services Act and lawfully operating in New Mexico that uses a digital network, but which shall not be deemed to control, direct or manage the personal vehicles or transportation network company drivers that connect to its digital network except where agreed to by written contract, NM Stat § 65-7-2 (2016);



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(b) "digital network" means an internet-supported application, software, program, website or system offered or utilized by a transportation network company that enables the prearrangement of transportation by passengers with transportation network company drivers.

(c) "prearranged ride" means transportation provided by a transportation network company driver, which shall be deemed to commence when a driver accepts a transportation request through a digital network and continue until all passengers have exited from the personal vehicle at the destination requested by the rider. "Prearranged ride" does not include shared-expense vanpool or carpool arrangements, or transportation provided using a taxicab, limousine or other vehicle for hire pursuant to the Motor Carrier Act [65-2A-1 through 65-2A-41 NMSA 1978];

**2. Billing:**

- a. Claims will be submitted from the contracted network transportation companies in the same manner as any current Non-Emergency Transportation companies currently established.

**3. Claim Adjustments:**

The MCO's will allow providers who have met the requirements listed above and provided Non-Emergency Transportation services by network companies to Medicaid eligible individuals within dates of service July 1, 2023, to the present to submit claims. Managed Care Organizations will suspend filing limit for any resubmitted claim that denies for timely filing for 90 days from the date of this Letter of Direction. MCOs will review the claims submitted or resubmitted prior to this LOD to ensure the claims are paid based on the direction in this LOD.

This LOD will sunset upon completion of the Centennial Care Program on June 30, 2024.