



ESSENT HEALTHCARE, INC.

Section: Corporate Compliance	Effective Date: 01/01/06
Subject: Free Transportation	Revision Date: 10/20/06
Policy #: CC-28	Review Date: 11/19/09
Responsible Party: Corporate Compliance Officer	Revision #: 2

Scope:

This policy applies to all Essent facilities.

Purpose:

The purpose of this policy is to set forth Essent's position regarding the provision of free transportation to patients.

Policy:

It is the policy of Essent Healthcare, Inc. to allow hospitals to provide free transportation to patients who are unable to provide their own transportation for medically necessary outpatient services. This service is being provided as a benefit to the community in which we operate. Under no circumstances should the offering of free transportation services be advertised or designed, in any way, to induce referrals.

Procedure

1. To be eligible for free transportation services, a patient must:
 - a. Have already been referred to an Essent facility for outpatient treatment;
 - b. Be unable to provide his or her own transportation and have no other regular or reliable means of transportation (public or private);
 - c. Be at significant medical risk if the outpatient treatment is not provided.
2. Notwithstanding number 3 below, hospitals can offer free local transportation of nominal value (less than \$10 per occurrence with \$50 annual limit per patient) to patients on a case-by-case basis provided that the patient resides in the hospital's customary service area. Should the transportation exceed the monetary limits, transportation may still be provided so long as all of the criteria listed below are met.
3. If the value of free transportation exceeds \$10 (or the \$50 annual limit) the following criteria must be met so as to avoid any conflicts (real or perceived) with regards to the Stark II and Anti-kickback statutes.
 - a. There is limited or no economical means of public transportation in the geographic area where the facility provides the free transportation services.
 - b. The free transportation services must not be advertised and must be available only to individuals who have already been referred to, or are being treated at, an Essent facility.
 - c. The free transportation services are available only if there has been an individualized determination of need (i.e. the patient has no other regular or reliable means of transportation).
 - d. The free transportation services must be "minimal" and must not include expensive services such as limousines, airline tickets, or ambulance transports.



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- e. The free transportation services are available to all qualified patients subject to available resources. The arrangement must not be limited to, or targeted at, particular profitable treatments or patient populations.
 - f. The costs of the free transportation services will not be claimed (directly or indirectly) on any Federal health care program cost report or claim, or otherwise shifted to any Federal health care program.
 - g. The geographic area within which the free transportation services are offered is limited to the hospital's customary service area.
 - h. The arrangement must provide a benefit to the community by giving elderly and low-income patients access to medically necessary, life-prolonging treatments that they may otherwise forgo, in whole or in part, because of inadequate transportation.
4. The Director of the department offering the free transportation services is responsible for ensuring that the appropriate individualized determination of need is completed for each patient before such services are provided.
 5. Documentation of the individualized determination of need must be maintained by the facility for a period of 6 years from the last date of service.
 6. Exceptions to this policy will be made on a case-by-case basis but only with approval from the Corporate Compliance Officer.

Reference:

OIG Compliance Guidance for Hospitals (1/31/05 FR page 4871)
OIG Advisory Opinion 007