Health, Education, and Human Services Committee strengthens regulations for non-emergency transportation companies

WINDOW ROCK – During a Health, Education, and Human Services Committee meeting on Monday, committee members considered Legislation No. 0157-18, which seeks to strengthen regulations for non-emergency medical transportation services within the Navajo Nation.

According to the legislation, numerous non-emergency medical transportation services companies operate within the boundaries of the Navajo Nation. In response to the increasing needs of transportation services by Navajo citizens, the Navajo Nation Department of Health developed proposed regulations to strengthen safety standards and prioritize Navajo-owned companies.

HEHSC chair and legislation sponsor Council Delegate Jonathan Hale (Oak Springs, St. Michaels) and the Office of Legislative Counsel collaborated with the Navajo Nation Department of Health to develop the amendments to be incorporated into the proposed regulations.

"The amendments are meant to provide increased safety for Navajo citizens, but we also wanted to make policy changes that would prioritize business to Navajo-owned non-emergency transport companies. We want them to do business with us and we want to promote that as a form of economic development and Navajo entrepreneurship," said Delegate Hale.

He added that a regulatory program manager position would be created to oversee the regulatory aspects of non-emergency medical transportation companies and said a fund management plan would be introduced through legislation after a budget has been formulated for the proposed program, and to manage funds accumulated by the regulations and fees.

The regulatory amendments include a non-emergency medical transportation permit application fee of $2,000 and an annual $1,000 permit renewal fee for Navajo/Native American-owned businesses, and a $6,000 permit application fee and an annual $3,000 permit renewal fee for non-Native companies. All fees would be overseen and managed by the Navajo Nation Department of Health.

It also stipulates that all non-emergency medical drivers are required to obtain and carry a Class C Commercial Drivers License, proof of valid insurance, and to report any accidents or incidents

immediately to the department. The Navajo Nation Department of Health can recommend business license suspension or revocation if any regulations have been violated, including operating without a permit or a company is found to be fraudulently claiming Native-preference. They would then be reported to the state Medicaid agency.

HEHSC member Council Delegate Nathaniel Brown (Chilchinbeto, Dennehotso, Kayenta) said it was important for the department to not only encourage Native-preference, but to ensure that all companies are vetted to ensure they are paying the appropriate permit licensing fees.

"Please provide the list of the true Navajo and Native owners and separate them from non-Native owned companies, even non-Native owners and co-owners who have Navajo managers. They are very good at hiding behind Navajo managers when the company is actually owned by a non-Native parent company and they must pay the correct fees," said Delegate Brown.

Navajo Nation Department of Health executive director Dr. Glorinda Segay responded to Delegate Brown's concerns and said that business licenses submitted to the Navajo Division of Economic Development's Business Regulatory Office by the companies are thoroughly crosschecked through background inquiries, and permit fees would be applied accordingly.

HEHSC members voted 3-0 to approve Legislation No. 0157-18, and serves as the final authority on the bill.

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