

CHAPTER 68
FORMERLY
SENATE BILL NO. 91
AS AMENDED BY
SENATE AMENDMENT NO. 1

AN ACT TO AMEND TITLE 2 OF THE DELAWARE CODE RELATING TO MEDICAL TRANSPORTATION.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

Section 1. Amend § 1801, Title 2 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§1801. Definitions.

(16) "Stretcher Van" means a vehicle staffed by both a driver and attendant, which is specifically designed and equipped to provide non-emergency transportation of individuals on a stretcher. A stretcher van is used for an individual who:

- a. needs routine transportation to or from a non-emergency medical appointment or service;
- b. is convalescent or otherwise non-ambulatory and cannot use a wheelchair; and
- c. does not require medical monitoring, medical aid, medical care, or medical treatment during transport.

Section 2. Amend Chapter 18, Title 2 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§1822 Medical Transportation By Health Care Facilities.

Vehicles that are operated by: nursing facilities or similar facilities, as defined in §1102 of Title 16 of the Delaware Code; hospitals as defined in §1001 of Title 16 of the Delaware Code; treatment facilities as defined in §2203 of Title 16 of the Delaware Code; providers who are qualified to provide treatment by the Department of Health & Social Services, including for day and residential services; and facilities where physical therapy is provided; may provide transportation services for their patients, clients or residents in accordance with a contract between the facility and a non-emergency medical transportation broker, without certification as a Public Carrier.

§1823 Medical Transportation by Stretcher Van.

Stretcher vans, as defined in §1801(16) of this section may provide non-emergency medical transportation services in accordance with a contract between the owner or operator of such stretcher van and a broker of non-emergency medical transportation services, without certification as Public Carrier. At a minimum, stretcher van driver and attendant credentialing will include a yearly national criminal background check, yearly 10-panel drug test, and training appropriate to the level of service being provided. All vehicles used as stretcher vans will be required to pass a yearly inspection as well as random inspections as the broker deems necessary. In addition, stretcher van operators, not certified as Public Carriers must nonetheless comply with public liability insurance requirements applicable to Public Carriers.

Approved June 30, 2015