**C O M M E N TA R Y | S TAT E S E N . T O M O ' M A RA ,**

**R - B I G F L AT S**

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How to waste millions of taxpayer dollars

Add the following issue to the agenda needing attention when the Legislature convenes next week – although it’s never dropped off my own list of priorities.

At the beginning of the Cuomo administration, New York State began shifting the management of what is known as “Non-Emergency Medicaid Transportation,” or NEMT, from localities which operate our public transit systems to the state Department of Health (DOH). The change has been touted as a cost-cutting move by DOH, however many local public transportation leaders from the Southern Tier, Finger Lakes, and throughout upstate have continually raised concerns about its implementation and long-term impact on rural communities and populations including the rural poor, disabled veterans, the elderly, and the rural workforce. I know because I have held numerous meetings and forums over the past several years to hear directly from local officials, mobility managers, transportation providers, and community organizations.

It’s been an ongoing concern. Legislation I’ve sponsored has consistently, nearly unanimously been approved by both houses of the Legislature, only to be vetoed time after time by the governor. This year’s legislation (S2083/A7074) would have established an "Upstate Transit Funding Board" dedicated to this challenge and paying consistent attention to the impact of NEMT management. We have not been crying wolf. A state comptroller’s audit released on December 15 shows that the state DOH move to centralize NEMT management has been inefficient and unacceptably wasteful of taxpayer dollars.

Let’s hope someone listens now. Even so, it is outrageous that it takes a comptroller’s audit to uncover, after the fact, what many upstate, rural public transit leaders have been warning about for years. According to the audit, the DOH contracted with two companies to take over from individual localities the management of NEMT. The state reimbursed these companies approximately $180 million over three years from January 1, 2013 to December 31, 2016. However, according to auditors, DOH overpaid the companies more than $6.2 million for transportation management services for individuals who were not eligible for them. Among other findings, the audit also cites one provider of taxi services that did not produce documentation supporting reimbursement claims totaling roughly $2.4 million. Yes, you read that right – taxi service – which is what these state-appointed companies have been utilizing all too often instead of our local public transit services. This shift of NEMT riders from public transit to private taxis has resulted in a significant loss of ridership on public transit, thereby creating an imbalance in the funding to sustain the public transit systems. The comptroller says that the DOH, in response to the audit, is already making changes expected to save $7.6 million in the future and will attempt to recoup the overpayments. But the damage has been done. DOH’s one-size-fits all approach has already put local public transit providers out of business, in Tioga County for example, while others remain at risk and have cut back routes and other services to the general rural population.

It has been a disaster and it can’t go on. Following the comptroller’s audit, I have called on Governor Cuomo to investigate the DOH’s management of NEMT. In my view, this audit demonstrates that the DOH should not be allowed to continue this failed experiment in Medicaid management. I am exploring legislation to rescind the department’s authority to manage NEMT and return that responsibility to the local level. The millions of taxpayer dollars wasted could have and should have been put to use that is much more effective. We need to ensure the long-term operation and viability of public transportation systems throughout upstate, rural New York. These systems provide critical links for thousands upon thousands of upstate residents and their jobs, medical appointments, schools, shopping, and other destinations. Public transit is also a cornerstone of the regional transportation systems vital to economic development, job growth, anti-poverty and housing initiatives, energy and environmental conservation. The full audit can be viewed on the comptroller’s website, www.osc.state.ny.us.