

Dear Senators DARRINGTON, Richardson & Burkett, and  
Representatives CLARK, Leon Smith & Boe:

The Legislative Services Office, Research and Legislation, has received the enclosed  
rules of the Division of Veterans Services:

IDAPA 21.01.05 - Rules Governing Medical Transportation Payment For Wheelchair  
Confined Veterans (Docket #21-0105-0801).

Pursuant to Section 67-454, Idaho Code, a meeting on the enclosed rules may be called by  
the cochairmen or by two (2) or more members of the subcommittee giving oral or written notice  
to Research and Legislation no later than fourteen (14) days after receipt of the rules' analysis  
from Legislative Services. The final date to call a meeting on the enclosed rules is no later than  
8-7-08. If a meeting is called, the subcommittee must hold the meeting within forty-two (42)  
days of receipt of the rules' analysis from Legislative Services. The final date to hold a meeting  
on the enclosed rules is 9-4-08.

\_\_\_\_\_The germane joint subcommittee may request a statement of economic impact with  
respect to a proposed rule by notifying Research and Legislation. There is no time limit on  
requesting this statement, and it may be requested whether or not a meeting on the proposed rule  
is called or after a meeting has been held.

To notify Research and Legislation, call 334-2475, or send a written request to the  
address or FAX number indicated on the memorandum enclosed.

## MEMORANDUM

TO: Rules Review Subcommittee of the Senate Judiciary and Rules Committee and the House Judiciary, Rules & Administration Committee

FROM: Principal Legislative Research Analyst - Katharine Gerrity

DATE: July 18, 2008

SUBJECT: Division of Veterans Services

IDAPA 21.01.05 - Rules Governing Medical Transportation Payment For Wheelchair Confined Veterans (Docket #21-0105-0801)

The Division of Veterans Services submits notice of temporary and proposed rule at IDAPA 21.01.05 - Rules Governing Medical Transportation Payment For Wheelchair Confined Veterans. According to the Division, the change is necessary due to increased expenses for operating a transportation service. The change provides that payment for transportation to and from a medical appointment shall not exceed \$200 (increased from the present \$100) and shall not exceed \$100 (increased from the present \$50) for transportation to or from a medical appointment.

The rule appears to be authorized by Section 65-202, Idaho Code.

cc: Division of Veterans Services  
David E. Brasuell & Jim Adams

## **IDAPA 21 - DIVISION OF VETERANS SERVICES**

### **21.01.05 - RULES GOVERNING MEDICAL TRANSPORTATION PAYMENT FOR WHEELCHAIR CONFINED VETERANS**

**DOCKET NO. 21-0105-0801**

#### **NOTICE OF RULEMAKING - TEMPORARY AND PROPOSED RULE**

**EFFECTIVE DATE:** The effective date of the temporary rule is August 6, 2008.

**AUTHORITY:** In compliance with Sections 67-5221(1) and 67-5226, Idaho Code, notice is hereby given that this agency has adopted a temporary rule, and proposed rulemaking procedures have been initiated. The action is authorized pursuant to Section 65-202, Idaho Code.

**PUBLIC HEARING SCHEDULE:** Public hearing(s) concerning this rulemaking will be scheduled if requested in writing by twenty-five (25) persons, a political subdivision, or an agency, not later than August 20, 2008.

The hearing site(s) will be accessible to persons with disabilities. Requests for accommodation must be made not later than five (5) days prior to the hearing, to the agency address below.

**DESCRIPTIVE SUMMARY:** The following is the required finding and concise statement of its supporting reasons for adopting a temporary rule and a nontechnical explanation of the substance and purpose of the proposed rulemaking:

The expenses for operating a transportation service have escalated recently. This rule change increases the reimbursement to transportation providers for transporting disabled veterans to medical providers.

**TEMPORARY RULE JUSTIFICATION:** Pursuant to Section(s) 67-5226(1)(c), Idaho Code, the Governor has found that temporary adoption of the rule is appropriate for the following reasons:

The rule change confers a benefit on disabled veterans and transportation providers. The increase in reimbursement will attract new providers and retain current providers.

**FEE SUMMARY:** Pursuant to Section 67-5226(2), the Governor has found that the fee or charge being imposed or increased is justified and necessary to avoid immediate danger and the fee is described herein: N/A

**FISCAL IMPACT:** The following is a specific description, if applicable, of any negative fiscal impact on the state general fund greater than ten thousand dollars (\$10,000) during the fiscal year:

This rule will increase the reimbursement for veterans' transportation. Reimbursement will not exceed the appropriation for the program.

**NEGOTIATED RULEMAKING:** Pursuant to IDAPA 04.11.01.811, negotiated rulemaking was not conducted because of the need for temporary rulemaking, the simple nature of the proposed rule change, and the benefit being conferred on affected interests.

**ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS:** For assistance on technical questions concerning the temporary and proposed rule, contact Jim Adams, Administrative Support Manager, (208) 246-8770.

Anyone may submit written comments regarding the proposed rulemaking. All written comments must be directed to the undersigned and must be delivered on or before August 27, 2008.

DATED this 6th day of June, 2008.

David E. Brasuell  
Administrator  
Division of Veterans Services  
320 Collins Road  
Boise, ID 83702  
Phone: (208) 334-351; fax (208) 334-2627

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**THE FOLLOWING IS THE TEXT OF DOCKET NO. 21-0105-0801**

**014. PAYMENT.**

**01. Payment Amount.** Payment pursuant to these rules shall not exceed ~~one~~ two hundred dollars (\$~~200~~) for transportation to and from a medical appointment or ~~fifty~~ one hundred dollars (\$~~5100~~) for transportation to or from a medical appointment. (5-3-03)(8-6-08)T

**02. Payment Voucher.** Upon approval of an application, the Division will provide a voucher to the eligible veteran. (3-30-07)

**03. Payment.** The Division will reimburse the veteran for covered transportation upon submission by the veteran of a voucher and a corresponding receipt from a commercial carrier. With prior approval, the Division will make payment for covered transportation provided to an eligible veteran directly to the commercial carrier upon submission by the commercial carrier of the voucher and a corresponding receipt from the commercial carrier. A corresponding receipt shall mean a receipt containing information confirming the charges are for the covered transportation for which the Division issued the voucher. (3-30-07)