

NEMTAC Industry Guidance on the Definition and Scope of Brokers in Non-Emergency Medical Transportation (NEMT)

Executive Summary

Reference Guidance — Not a Standard

Why this matters

The term “broker” is widely used in NEMT, but often inaccurately. In regulated healthcare programs, “Broker” refers to a defined role with specific legal authority and compliance obligations. In other settings, the term is often used informally to describe coordination, dispatch, or technology functions that do not carry those same obligations. This guidance is intended to clarify that distinction.

What this document is

This guidance is a reference resource explaining the regulatory meaning of “Broker” in NEMT. It focuses on transportation programs funded in whole or in part by CMS or other HHS agencies, including Medicaid, Medicaid Managed Care, and Medicare Advantage.

What this document is not

This is not a standard, checklist, enforcement tool, model contract, or RFP template. It is intentionally detailed and compliance-oriented and is meant to serve as a source of shared understanding rather than a general how-to guide.

Core clarification

A capital-“B” Broker is defined by funding authority. In plain terms, that means the entity is operating under a state or federal healthcare program that gives it formal responsibility for arranging transportation as part of a covered benefit. Authorization under that healthcare program determines whether an entity is a Broker for regulatory purposes. Not all entities that arrange rides—such as technology platforms, transit agencies, hospitals, or private coordinators—are regulated Brokers. For example, a Medicaid-contracted transportation broker operating under state authority may be a regulated Broker, while a hospital arranging discharge rides through a vendor or technology platform would not be a Broker in the regulatory sense.

Organizations may also use the word “broker” operationally or informally to describe their role in coordinating transportation. That usage does not, by itself, create regulated broker status. Vendors, hospitals, transit agencies, and platforms may perform broker-like functions in practice, but unless they are operating under the applicable healthcare program authority, they are not Brokers in the regulatory sense addressed in this guidance.

How to use this guidance

Use this document as a reference for shared understanding across policy, procurement,

oversight, and operations. NEMTAC may also develop concise companion summaries for key stakeholder audiences to improve accessibility without revising the underlying guidance.

Full document:

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