

## Ridesharing Services: A Healthcare Risk Management Perspective

Ridesharing (also known as “ride-hailing,” “ride-sourcing” and “ride-booking”) companies – such as Uber, Lyft and others – connect passengers to drivers via mobile technology. Coordinated by [transportation network companies](#) (TNCs), ridesharing drivers often (but not always) use personal vehicles to transport passengers. In lieu of hailing or scheduling a taxicab, passengers typically book rides from these drivers by utilizing an application downloaded to a smartphone or other mobile device. Payment and even tipping can be handled electronically, adding to the appeal of ridesharing services.

Ridesharing has flourished in recent years due to its convenience and generally reasonable cost. However, the business is not without risk exposures. Unlike taxi or limousine services, which are highly regulated in terms of driver licensure, background checks, vehicle inspection and insurance coverage requirements, most states currently do not subject TNCs to strict oversight. Many ridesharing drivers lack a livery driver’s license, and their vehicles are rarely registered as commercial vehicles. In addition, drivers often have only personal automobile insurance policies, which were not designed or underwritten to cover commercial use of a vehicle. Such policies typically exclude livery service and lack the higher coverage limits necessary to protect against the greater liability risks inherent in transporting passengers.

The growing popularity of ridesharing among a wide range of demographics – including patients and senior citizens – raises important safety, regulatory and liability questions. This edition of *AlertBulletin*® examines TNC-related risks within the healthcare context and offers guidelines to help ensure that patients and aging services facility residents are transported in a safe, reliable manner.

### REGULATORY STATUS

In 2012, when ridesharing began to spread nationwide, the companies were essentially unregulated. In 2014, Colorado became the first state to enact legislation regarding these services. Since then, state laws have proliferated. As of June 2017, [48 states](#) and the District of Columbia have promulgated various insurance requirements for TNCs.

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In addition, many cities and counties have begun to regulate TNCs at the local level. For example, according to the [Texas A&M Transportation Institute](#), 20 Texas cities approved some type of ridesharing law between 2014 and 2016. In some locales, taxi statutes also have been amended by city ordinance to permit more stringent TNC regulation, including privacy safeguards for passengers’ personally identifiable information and fingerprint-based background checks for drivers. In some cases, these new rules and regulations have resulted in TNCs halting their operations in the jurisdictions where they have been enacted.

### HEALTHCARE ARRANGEMENTS

Seeking to broaden their range of services and customer base, some TNCs have contracted with healthcare organizations to provide non-emergency transport for patients and the elderly.

**Medical use.** In March 2017, Lyft and American Medical Response (AMR), the nation’s largest emergency transport company, announced a partnership to provide [non-emergency medical transport](#) for patients needing a ride from the hospital to their home or to outpatient clinics in the 42 states where AMR operates. Similar partnerships also have been forged with [Blue Cross Blue Shield Associates](#), [LogistiCare](#) and others.

Ridesharing agreements such as these permit hospitals and other healthcare organizations to arrange transport through a single telephone call or via an [online portal](#). The arrangements potentially enhance patient follow-up, continuity of care and treatment outcomes by providing patients with easily accessible transportation to and from ambulatory care appointments. Use of rideshare services also may reduce ambulance use in non-emergency situations, thus increasing efficiency and helping ensure that emergency vehicles are available when necessary.

**Aging services use.** Seniors, many of whom do not drive, constitute an irresistibly large potential market for ridesharing services. Consider the following statistics from the report [“Older Americans 2016: Key Indicators of Well-Being”](#):

- **Forty-six million people age 65 and over lived in the U.S. in 2014**, comprising 15 percent of the total population.
- **About 1.2 million Americans resided in nursing homes**, and nearly 780,000 lived in other types of residential care communities, including assisted living facilities.
- **Twenty-two percent of the elderly population surveyed reported having at least one limitation** in terms of vision, hearing, mobility, communication, cognition and/or self-care.
- **The vast majority of surveyed elders reported a need for assistance with transportation**, a need that in many cases could be efficiently met by ridesharing.

Some TNCs are adapting their service models to appeal to aging services settings, providing door-to-door transport for routine healthcare appointments, shopping trips, recreational and cultural outings, social visits and other non-emergency needs. While some residents are tech-savvy and prefer to arrange their own transportation, most look to their senior living community to assist them in scheduling rides.

## **SAFETY GUIDELINES**

Before making ridesharing available to patients and residents, hospitals and aging services providers must consider the risks of this still lightly regulated industry, which include vehicle and driver safety concerns, service reliability, emergency response and third-party liability. The following safeguards can help protect patients/residents from harm while minimizing TNC-related risks:

**Driver qualifications.** Perform criminal background and sexual abuse registry checks on ridesharing drivers and screen them for health issues and immunization history. In addition, obtain and review motor vehicle reports on TNC drivers per organizational policy, in order to identify any history of reckless driving.

**Driver training.** Evaluate the skills of ridesharing drivers in helping frail, disabled and/or medicated passengers enter and exit vehicles and buildings. TNC drivers' training should be equivalent to that provided to staff members who transport patients/residents on behalf of the organization.

**Vehicle safety and suitability.** Check that ridesharing vehicles have been properly inspected and are in safe operating condition. And as many patients/residents have mobility issues, confirm the availability of vehicles equipped with wheelchair restraints and lifts or ramps before making any arrangements with a TNC.

**Emergency preparedness.** Ask TNCs about their drivers' first aid and emergency response training, as well as company procedures with respect to reporting and documenting incidents.

**Availability.** Verify the availability of drivers, in order to ensure that passengers arrive at appointments on time, are picked up promptly afterward and do not experience excessive wait times.

**Insurance coverage.** Determine the extent of liability insurance coverage provided by the TNC for drivers who transport patients/residents. Keep in mind that vehicles not owned by the organization and not driven by employees are normally not covered by the facility's policy. For this reason, it is essential to confirm that the rideshare company carries sufficient insurance.

**Business-owned vehicles.** Ensure that organizational policies prohibit employees from using business-owned vehicles for outside commercial purposes, including online ridesharing or other livery-type services.

**Patient/resident security.** Escort patients/residents from the hospital or aging services setting to the ridesharing vehicle and check that its license plate number matches that of the ordered car. Instances have been reported of unwitting passengers being picked up by criminals pretending to be rideshare drivers. To prevent such potential tragedies, instruct staff members to always accompany patients/residents to waiting vehicles and confirm the driver's identity and credentials.

As the ridesharing industry evolves and pursues new markets, many healthcare providers are considering the advantages of partnering with TNCs to provide non-emergency transport for patients/residents. As with any vendor arrangement, it is essential to weigh convenience and cost considerations against potential hazards and liability exposures. To maximize safety and minimize risk, organizations must ensure that drivers are adequately screened, trained and insured, and that vehicles are inspected and appropriately equipped for the passengers who use them.



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