



DEPARTMENT OF BUSINESS AND INDUSTRY
NEVADA TRANSPORTATION AUTHORITY

MINUTES OF THE May 9, 2024 SPECIAL SESSION

WEBEX LINK: <https://businessnv2.webex.com>

DIAL IN NUMBER: 1-844-621-3956

MEETING ACCESS CODE: 2483 919 5804

MEETING PASSWORD: fPC9v2Jtjg2

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AGENDA

1. Call to Order

Chairman Vaughn Hartung called the meeting to order at 9:30 a.m.

2. Roll Call

Present: Chairman Vaughn Hartung, Commissioner Dawn Gibbons, Commissioner R. David Groover, Deputy Commissioner David Pasternak, Administrative Attorney Yoneet Wilburn, Applications Manager Liz Babcock, Financial Analyst Yvonne Shelton, Senior Deputy Attorney General Louis Csoka, Chief of Enforcement John Foster, Management Analyst Hope DiBartolomeo

3. Pledge of Allegiance

Administrative Attorney Yoneet Wilburn led a recital of the pledge.

4. Public Comment

none

5. Approval of Agenda

Motion by Groover Second by Gibbons Approved 3-0

6. Briefings from the Commissioners

Chairman Hartung welcomed Yoneet Wilburn as the new Administrative Attorney.

7. Briefing from the Deputy Commissioner

Deputy Commissioner Pasternak stated this week is Employee Appreciation Week and thanked all the staff of the Authority for the outstanding job they do.

8. Report of Legal Counsel

Sr. Deputy Attorney General Csoka stated the PJR in WMT matter is still ongoing.

- 9. Docket 21-07010** The Authority will decide whether to affirm, amend or reverse the Order Granting Motion for Interim Authority to Medical Transport USA, LLC, Series A Medical Transport LV d/b/a MTC (“MTC”), dated April 8, 2024. The Authority will further decide whether to grant or deny MedLife Transportation’s (“MedLife”) Protest and untimely Petition for Leave to Intervene in the same matter, dated December 13, 2023. The Authority will take no action relative to the granting or denying of MTC’s underlying Application for a Contract Carrier Permit to provide non-emergency medical transportation (“NEMT”) services within the State of Nevada in a final form.

Chairman Hartung briefly detailed the procedural history of the docket. Brent Carson, Esq. appeared on behalf MTC and offered the opinion that MTC should be given the ability to serve 12 contracts as another carrier was given the same authority at the February Agenda. Chairman Hartung responded with the explanation that the additional contracts in the LifeTrans matter were due to Covid, that the Covid emergency has been rescinded and that the Authority is currently working to comport with regulation. Commissioner Groover offered a statement regarding the market share the owner of MCT currently holds and gave a strong statement regarding the PLTI process. Mr. Carson responded to the points made by both Chairman Hartung and Commissioner Groover. Chairman Hartung indicated he was not in favor of the deviation from 6 contracts. Administrative Attorney Wilburn stated the necessity to take all comments prior to taking a vote on either section as the comments may have a direct bearing on the vote. A brief discussion ensued with regard to the assignment of the dockets. James Kent, Esq. offered the suggestion that the current Order be vacated and a new Order be drafted. He also indicated the concerns with contract carrier and common carrier and the details involved with a deviation request, stating they should be taken on a case by case basis. He voiced concerns with enforcement if transportation is transferred from contract to common carrier and that the bottom line is the protection of the traveling public.

Kimberly Maxson-Rushton, Esq. and Relu Georgescu appeared on behalf of MedLife Transportation. Ms. Rushton detailed the reasoning behind the PLTI. She also noted that contract carriers have no tariff, no fleet restrictions and no 3% tax and that gives them an inherent advantage. She stated the three items that require legal review. Mr. Carson offered the opinion that the PLTI is untimely and that there is no substantial reason indicated for the delay for the untimely filing. Ms. Rushton offered a rebuttal and restated the request for PLTI status. James Kent, Esq. stated the Authority does not control the prices on a contract carrier.

Motion to Vacate Order by Hartung Second Gibbons Approved 3-0

Motion to Grant untimely PLTI by Groover Second Gibbons Approved 3-0

10. Public Comment

Brent Carson, Esq. offered a statement regarding the application process in this docket. Douglas Croner, retired firefighter and former employee of GMTCare, offered a statement in support of the decisions made today and indicated he will meet with Enforcement staff to share information.

11. Adjournment

Meeting adjourned at 10:50 a.m.