

FREE DOWNLOAD — 2026 EDITION

NEMT Driver Qualification File Checklist

Complete compliance checklist for Non-Emergency Medical Transportation operators. Covers FMCSA 49 CFR §391.51 + broker requirements + state Medicaid additions.

5 Categories	16+ Documents	3 yr Retention	5 yr Drug Records	Monthly OIG Checks
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Driver Name:	_____	Hire Date:	_____
License State(s):	_____	Vehicle Type:	_____
Prepared By:	_____	Review Date:	_____

CRITICAL — Triple Compliance Standard: NEMT operators must satisfy THREE simultaneous requirements: (1) FMCSA 49 CFR §391.51 federal safety rules, (2) State Medicaid program integrity requirements, and (3) NEMT broker contractual standards. The strictest requirement always governs. A complete file protects your billing, your broker enrollment, and your license.

CATEGORY 1 — PRE-EMPLOYMENT & HIRING DOCUMENTS

Regulatory basis: 49 CFR §391.21 (application) and §391.23 (safety history). Employment application and safety performance history inquiry must be complete BEFORE the driver's first trip. Safety history responses must be received within 30 days of hire.

Driver Employment Application (Signed) Retain: Lifetime + 3 yr

§391.21 — DOT-compliant form. Must include 10-yr CMV history (CDL) or 3-yr (non-CDL), all license states, accident history, violations, any license revocations. All gaps ≥30 days must be explained in writing.

Safety Performance History — All Prior DOT Employers 30-day window

§391.23 — Written inquiry to all DOT-regulated employers in past 3 years. Document every contact attempt (date, method, response). File certified mail receipts if no response.

Good Faith Documentation (if employer non-responsive) Retain: 3 yr post-term

§391.23 — Certified mail receipt, phone log with dates/times, and 3-contact-attempt record proving you made a reasonable effort to obtain the history.

**Employment Gap Explanations***Retain: Lifetime + 3 yr*

§391.21 — Written explanation on the application for any employment gap of 30 days or more. Unexplained gaps are an automatic audit deficiency.

CATEGORY 2 — LICENSE, MEDICAL & DRIVING RECORD DOCUMENTS

These documents must be current and valid on the date of every billed trip. Auditors cross-reference trip dates against expiration dates to identify unbillable periods. An expired medical certificate on October 10 makes every trip from October 11 onward subject to 100% Medicaid recoupment until renewal.

**Driver's License — Copy (Valid, All States)***At each renewal*

Copy of current license from every state where driver currently holds or recently held a permit. Verify no restrictions that conflict with NEMT vehicle type.

**Initial Motor Vehicle Record (MVR) — All Licensing States***Retain: 3 yr*

§391.23(a)(1) — 3-year lookback from application date. Must be pulled within 30 days of hire. Pull from every state the driver has held a license in the past 3 years.

**Medical Examiner's Certificate (MCSA-5876)***Up to 24 months*

§391.43 — Valid up to 24 months (12 months if restricted condition, e.g., hypertension). Required if vehicle GVWR ≥10,001 lbs. Even for lighter vehicles, most brokers require it. Must be from NRCME-listed examiner.

**National Registry Verification (Non-CDL Drivers)***At each exam*

§391.43(c) — Print and file verification from nrcme.fmcsa.dot.gov confirming the examining physician's active registry status on the exam date. NOTE: As of June 23, 2025, CDL drivers' medical status auto-updates via CDLIS MVR — manual verification no longer required for CDL holders.

**Road Test Certificate (or CDL Copy as Equivalent)***Retain: Lifetime + 3 yr*

§391.31 — Certificate from road test administered by your company, OR copy of valid CDL accepted in lieu of road test under §391.33. For NEMT WAV drivers, road test should include wheelchair lift operation and passenger assistance procedures.

CATEGORY 3 — NEMT-SPECIFIC CERTIFICATIONS (Not in Standard Trucking DQ Files)

IMPORTANT: These certifications do NOT appear in 49 CFR §391.51 but are required by ALL major NEMT brokers (ModivCare, MTM, MAS, Access2Care) and most state Medicaid programs. Missing any of these triggers immediate broker suspension of trip assignments. This is the category that separates a compliant NEMT file from a compliant trucking file.

**PASS Training Certificate (Passenger Assistance Safety & Sensitivity)***Annually per brokers*

CTAA-approved provider required. Covers wheelchair securement, passenger communication, disability awareness, emergency evacuation. Approximately \$75–\$150 per driver. Required by: ModivCare, MTM, MAS, Access2Care — all major brokers.

**CPR / BLS Certification***Every 2 years*

American Heart Association or Red Cross ONLY — online-only certifications typically not accepted by brokers. BLS (Basic Life Support) level required, not Heartsaver. Required by: all major brokers; most state Medicaid programs.

**First Aid Certification**

Every 2–3 years

AHA or Red Cross provider. Often bundled with CPR/BLS course — confirm combined certificate is accepted by your broker before relying on bundled completion.

**Mobility Device Securement Training (Q'Straint / Sure-Lok)**

At hire / equip change

Manufacturer-specific certificate for WAV operators. Required by MTM and ModivCare. Re-train when equipment changes. Documents proper 4-point tie-down procedure for wheelchair occupant safety under 49 CFR Part 37.

**HIPAA Privacy Training + Signed Acknowledgment**

Annually

Annual training required. Driver must sign privacy acknowledgment form. Document training completion in the DQ file. Note: long-form DOT physical results (MCSA-5875) must be kept SEPARATE from main DQ file under HIPAA privacy rules.

**Defensive Driving Certificate**

Every 3 years

NSC (National Safety Council) or equivalent. Required by ModivCare and MTM for WAV operators. Demonstrates hazard recognition and safe driving standards.

CATEGORY 4 — DRUG, ALCOHOL & BACKGROUND COMPLIANCE DOCUMENTS

Pre-employment drug test and FMCSA Clearinghouse full query must be COMPLETE before the driver performs any safety-sensitive duty. Run the Clearinghouse query FIRST — a "prohibited" result means the driver cannot be hired regardless of the drug test outcome.

**Pre-Employment Drug Test — Negative Result**

Before Trip 1

§382.301 — DOT 5-panel test at certified laboratory via chain of custody form. Negative result from MRO (Medical Review Officer) required before first trip. NEMT brokers often require 10-panel test — confirm with your broker before ordering.

**FMCSA Drug & Alcohol Clearinghouse — Full Pre-Employment Query**

Before Trip 1

§382.413 — Register at clearinghouse.fmcsa.dot.gov. Full query requires driver electronic consent. Cost: \$1.25 per query. Run BEFORE drug test. A "prohibited" status bars employment until return-to-duty process is complete.

**Criminal Background Check Report (7-Year Multi-State)**

Annual refresh per brokers

State/national criminal records check. NEMT brokers require 7-year lookback with county court searches. Must be FCRA-compliant with adverse action procedures. Automatic disqualifiers: violent felonies, sex offenses, Medicaid fraud, human trafficking.

**Sex Offender Registry Check (NSOPW + State Registry)**

At hire + annually

National search via NSOPW.gov plus state registry. Print and file verification with date of search. Required for all patient-facing drivers. State portals: FL — AHCA; TX — DPS; CA — CSOM; GA — GBI.

**OIG / LEIE Exclusion Verification — Monthly Log**

EVERY MONTH

Check exclusions.oig.hhs.gov monthly for EVERY active driver. Print or screenshot "No Results" confirmation. File monthly proof in DQ folder. Employing an excluded individual creates False Claims Act exposure: \$11,000–\$22,000 per claim PLUS triple damages. No safe harbor for missed months.



State Healthcare Worker Screening (Where Required)

Per state requirement

FL: Level 2 fingerprint via AHCA Background Screening Clearinghouse (Statute 435.03). TX: Employee Misconduct Registry (EMR) + DADS check. CA: LiveScan fingerprint. GA: Verida broker portal. VA: DMAS health screen.

CATEGORY 5 — ONGOING ANNUAL COMPLIANCE DOCUMENTS

These items require scheduled renewal throughout active employment. Missing a single annual MVR review is the #1 DQ file deficiency found in NEMT audits. Set calendar alerts 45 days before each item's due date — not on the due date itself.



Annual Motor Vehicle Record (MVR) Review

Every 12 months

§391.25(a) — Pull current MVR within 12 months of previous review. Review for disqualifying violations. Document review with signed note: driver name, date, states reviewed, violations found, reviewer signature and certification. NOTE: Annual driver certification of violations (§391.27) was ELIMINATED May 9, 2022 — do NOT collect this form.



Signed Annual Review Note (§391.25(c)(2))

Every 12 months

Separate from the MVR itself. Documents that you actually reviewed the record, not just pulled it. Must include: date of review, states checked, reviewer signature, and certification that driver remains qualified. Required even if no violations found.



FMCSA Clearinghouse — Annual Limited Query

Every 12 months

§382.413 — Run a limited query for every driver within 12 months of previous query. Limited queries require driver consent on file (or blanket consent in employment agreement). File query result printout showing "No Results" or violations found.



CPR / BLS Certificate Renewal (if due)

Every 2 years

Track AHA or Red Cross card expiration. Schedule renewal exam 60 days before expiration to allow for scheduling delays. Expired CPR card triggers broker trip freeze on discovery.



PASS Training Renewal (if due)

Annually per brokers

Most brokers require annual renewal. Some accept 2- or 3-year certificates — confirm with each broker you are enrolled with. File new certificate before old one expires.



OIG Exclusion Monthly Log — Current Month

Every month

Monthly screenshot or printout from exclusions.oig.hhs.gov showing "No Results" for driver name. File in chronological order in DQ folder. Every missing month is its own compliance failure independent of all other months.



Annual HIPAA Privacy Training Renewal

Annually

Updated training certificate and signed acknowledgment. Must reflect current privacy practices. File in HIPAA subfolder within DQ file or as separate document.

RETENTION SCHEDULE QUICK REFERENCE — FMCSA + State Medicaid

Document	FMCSA Retention	Post-Termination	State Override
Employment Application	Full employment	3 years	CA: 7 yr VA: 6 yr
Initial MVR at Hire	Full employment	3 years	Apply longest period

Document	FMCSA Retention	Post-Termination	State Override
Safety Performance History (§391.53)	Separate file — full employment	3 years	Apply longest period
Road Test Certificate	Full employment	3 years	Apply longest period
Annual MVR Reviews	3 years from execution	3 years	Apply longest period
Annual Review Notes	3 years from execution	3 years	Apply longest period
Medical Certificate (non-CDL)	3 years from execution	3 years	Apply longest period
Clearinghouse Queries + Consent	Full employment	3 years	§382.413(f)
Drug Test — Positive Results	5 years minimum	5 years	5 years minimum
Drug Test — Negative Results	1 year (recommend 3)	1–3 years	Recommend 3 years
Background Check Reports	Full employment	3–7 years by state	FL: up to 7 yr criminal
NEMT Certs (PASS/CPR/HIPAA)	Full employment	3 years minimum	Apply broker maximum
OIG Monthly Logs	Full employment	3 years minimum	Apply state maximum

6 DQ FILE MISTAKES THAT TRIGGER NEMT AUDITS

1

Missing Annual MVR Review

Most common audit finding. \$1,584/day FMCSA penalty. Set 45-day advance alert.

2

Expired Medical Certificate with No Gap Detection

Each day past expiration = unbillable trips. Use 90/60/30-day alert system.

3

OIG Exclusion Verification Gaps

Each missing month is an independent failure. False Claims Act: \$11K–\$22K per claim.

4

PASS Training Described but Certificate Not Filed

Verbal confirmation is not documentation. Certificate must be physically in the file.

5

Employment Application Missing Gap Explanations

§391.21 requires written explanation for all 30+ day gaps. Unexplained gaps void the file.

6

Wrong GVWR Used to Determine Medical Exam Applicability

Check door-jamb label after WAV conversion — not manufacturer base GVWR. Lift adds weight.

Need Help Keeping Your DQ Files Audit-Ready?

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