

Docket No. A-2025-3057858  
DAYSHA NELSON  
SECOND Request for Information

- 1.) Kindness and Kare transportation is currently not providing service; all transportation will only begin after receiving proper authority from the Pennsylvania PUC. Kindness and Kare transportation will operate under the authority granted by the PUC as a NEMT service once the application is approved. Kindness and Kare Transportation provides services to citizens in Montgomery county who require NEMT service , including seniors , patients with mobility challenges and individuals needing wheelchair or stretcher transport. Customers will pay privately or transport may be reimbursed through contracted facilities such as nursing homes , assisted living centers , or medicaid brokers once contractors are obtained. Brokers Kindness and Kare transportation will be working with Modivcare and Saferide health.

**The responses to questions 5(a), 5(b), 5(c), 5(d) and 5(e)**

- **§ 29.503. Age restrictions.** - All drivers employed by kindness and Kare Transportation will be at least 21 years old , as required  
I will maintain copies of :
  - ~ Government Issued IDs
  - ~Hiring records verifying ageThese records will be retained for PUC review for a minimum of four years
  
- **§ 29.504. Driver history-** Before Hiring any driver , the company will :
  - ~Obtain a PA drivers license check
  - ~ Obtain a 3 year PennDot motor vehicle record (MVR)
  - ~ Ensure no disqualifying violations
  - ~ Require annual MVR updates and reviewDriver history records will be stored securely and and kept for four years.
  
- **§ 29.505. Criminal history.-**  
Kindness and Kare Transportation may not permit a person to operate a vehicle in its authorized service until it has been obtained and reviewed a criminal history record from the Pennsylvania state police and every other state in which the person resided for the last 12 months. For current drivers, kindness and Kare transportation shall obtain a criminal history records.

Frequency of record check. Following receipt of the initial criminal history record, a common or contract carrier shall obtain and review a criminal history record for each driver operating under

its authority from the Pennsylvania State Police every 2 years from the date of the last criminal history check.

Disqualification. Kindness and Kare Transportation may not permit a person to operate a vehicle in its authorized service when the person was convicted of a felony or a misdemeanor under the laws of the Commonwealth or under the laws of another jurisdiction, to the extent the conviction relates adversely to that person's suitability to provide service safely and legally

Record retention, Kindness and Kare Transportation will keep a copy of the criminal history that shall be maintained by the common or contract carrier for at least 3 years.

Criminal background check. Prior to permitting a person to act as a call or demand or NEMT driver, Kindness and Kare Transportation shall conduct or having a third party conduct a local and National criminal background check for each driver applicant. The background check must include a multistate or multijurisdictional criminal records locator or other similar commercial Nationwide database with primary source search validation and a review of the United States Department of Justice National sex offender public web site. Kindnesses and Kare Transportation will disqualify an applicant convicted of certain crimes in accordance with the following:

- i) An applicant convicted of any of the following within the preceding 7 years:
  - (A) Driving under the influence of drugs or alcohol.
  - (B) A felony conviction involving theft.
  - (C) A felony conviction for fraud.
  - (D) A felony conviction for a violation of The Controlled Substance, Drug, Device and Cosmetic Act (35 P.S. § § 780-101-780-144).
- (ii) An applicant convicted of any of the following within the preceding 10 years:
  - (A) Use of a motor vehicle to commit a felony.
  - (B) Burglary or robbery.
- (iii) An applicant convicted of any of the following at any time:
  - (A) A sexual offense under 42 Pa.C.S. §9799.14(c) or (d) (relating to sexual offenses and tier system) or similar offense under the laws of another jurisdiction or under a former law of the Commonwealth.
  - (B) A crime of violence as defined in 18 Pa.C.S. § 5702 (relating to definitions).
  - (C) An act of terror

Kindness and Kare transportation will do a Frequency, One year after engaging a driver and every second year thereafter, the criminal background and driving history checks required under this subsection shall be conducted and that a driver continues to be eligible to be a driver shall be verified.

Kindness and Kare Transportation is committed to providing safe , efficient and compliant transportation services. This response reflects updated and accurate procedures to meet all PUC regulatory requirements.

Sincerely,  
Daysha Nelson  
Kindness and Kare Transportation