

Chapter 331

(Senate Bill 511)

AN ACT concerning

Health and Human Services Transportation Improvement Act of 2023

FOR the purpose of ~~establishing the Rural Nonemergency Medical Transportation Program~~; repealing a certain cap on the amount of grants that may be awarded by the Maryland Transit Administration under the Maryland Senior Rides Program; repealing a certain cap on funding for the Job Access and Reverse Commute Program ~~and requiring the Governor to provide funding for the Rural Nonemergency Medical Transportation Program in the State budget~~; establishing the State Coordinating Committee for Health and Human Services Transportation; and generally relating to transportation for health and human services in the State.

~~BY adding to~~

~~Article – Health – General~~

~~Section 13-4801 through 13-4805 to be under the new subtitle “Subtitle 48. Rural Nonemergency Medical Transportation Program”~~

~~Annotated Code of Maryland~~

~~(2019 Replacement Volume and 2022 Supplement)~~

BY repealing and reenacting, with amendments,

Article – Transportation

Section 7-1002

Annotated Code of Maryland

(2020 Replacement Volume and 2022 Supplement)

BY repealing and reenacting, without amendments,

Article – Transportation

Section 7-1102

Annotated Code of Maryland

(2020 Replacement Volume and 2022 Supplement)

BY repealing

Article – Transportation

Section 7-1107

Annotated Code of Maryland

(2020 Replacement Volume and 2022 Supplement)

BY adding to

Article – Transportation

Section 7-1107 and 7-1109

Annotated Code of Maryland

(2020 Replacement Volume and 2022 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
That the Laws of Maryland read as follows:

~~Article — Health — General~~

~~SUBTITLE 48. RURAL NONEMERGENCY MEDICAL TRANSPORTATION PROGRAM.~~

~~13 — 4801.~~

~~(A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.~~

~~(B) “ELIGIBLE INDIVIDUAL” MEANS AN INDIVIDUAL WHO:~~

~~(1) DOES NOT QUALIFY TO RECEIVE STATE OR FEDERAL FUNDING FOR TRANSPORTATION RELATED TO RECEIVING MEDICAL SERVICES BECAUSE THE INDIVIDUAL:~~

~~(i) RESIDES IN A LOCATION THAT DISQUALIFIES THE INDIVIDUAL FROM QUALIFYING FOR THE FUNDING;~~

~~(ii) OWNS A CAR;~~

~~(iii) RECEIVED TRANSPORTATION FROM A VOLUNTEER, BUT THE INDIVIDUAL NO LONGER HAS ACCESS TO THAT TRANSPORTATION;~~

~~(iv) HAD A MEDICAL PROCEDURE THAT DOES NOT QUALIFY THE INDIVIDUAL FOR THE FUNDING;~~

~~(v) HAS A TEMPORARY DISABILITY THAT DOES NOT QUALIFY THE INDIVIDUAL FOR THE FUNDING; OR~~

~~(vi) DOES NOT LIVE WITHIN THE REQUIRED DISTANCE OF A PUBLIC BUS STOP TO QUALIFY THE INDIVIDUAL FOR THE FUNDING;~~

~~(2) NEEDS TRANSPORTATION TO OR FROM MEDICAL SERVICES WHERE EACH TRIP EITHER BEGINS OR ENDS IN A RURAL COUNTY; AND~~

~~(3) A HOSPITAL CARE COORDINATOR DETERMINES HAS A MEDICAL NEED FOR WHICH THE INDIVIDUAL REQUIRES TRANSPORTATION SERVICES THROUGH THE PROGRAM.~~

~~(C) “HOSPITAL” HAS THE MEANING STATED IN § 19-301 OF THIS ARTICLE.~~

~~(D) "HOSPITAL CARE COORDINATOR" MEANS AN EMPLOYEE OF A HOSPITAL WHO COORDINATES TRANSPORTATION RELATED TO MEDICAL SERVICES FOR ELIGIBLE INDIVIDUALS IN ACCORDANCE WITH THIS SUBTITLE.~~

~~(E) "NONPROFIT ORGANIZATION" MEANS AN ORGANIZATION THAT:~~

~~(1) IS:~~

~~(I) DESCRIBED IN § 501(C)(3) OF THE INTERNAL REVENUE CODE; AND~~

~~(II) EXEMPT FROM INCOME TAX UNDER § 501(A) OF THE INTERNAL REVENUE CODE; AND~~

~~(2) PROVIDES TRANSPORTATION SERVICES TO ELIGIBLE INDIVIDUALS THROUGH A PROGRAM ADOPTED BY A HOSPITAL.~~

~~(F) "PROGRAM" MEANS THE RURAL NONEMERGENCY MEDICAL TRANSPORTATION PROGRAM.~~

~~(G) "RURAL COUNTY" MEANS:~~

~~(1) ALLEGANY COUNTY;~~

~~(2) CALVERT COUNTY;~~

~~(3) CAROLINE COUNTY;~~

~~(4) CARROLL COUNTY;~~

~~(5) CECIL COUNTY;~~

~~(6) CHARLES COUNTY;~~

~~(7) DORCHESTER COUNTY;~~

~~(8) FREDERICK COUNTY;~~

~~(9) GARRETT COUNTY;~~

~~(10) HARFORD COUNTY;~~

~~(11) KENT COUNTY;~~

~~(12) QUEEN ANNE'S COUNTY;~~

~~(13) SOMERSET COUNTY;~~

~~(14) ST. MARY'S COUNTY;~~

~~(15) TALBOT COUNTY;~~

~~(16) WASHINGTON COUNTY;~~

~~(17) WICOMICO COUNTY; OR~~

~~(18) WORCESTER COUNTY.~~

~~13-4802.~~

~~(A) THERE IS A RURAL NONEMERGENCY MEDICAL TRANSPORTATION PROGRAM.~~

~~(B) THE PURPOSE OF THE PROGRAM IS FOR HOSPITALS TO COORDINATE TRANSPORTATION PROVIDED BY A NONPROFIT ORGANIZATION TO OR FROM MEDICAL SERVICES FOR ELIGIBLE INDIVIDUALS.~~

~~13-4803.~~

~~(A) A PROGRAM ADOPTED UNDER THIS SUBTITLE SHALL:~~

~~(1) COORDINATE TRANSPORTATION PROVIDED BY A NONPROFIT ORGANIZATION FOR AN ELIGIBLE INDIVIDUAL TO TRAVEL TO OR FROM MEDICAL SERVICES;~~

~~(2) INCLUDE A MONTHLY BUDGET SET BY EACH NONPROFIT ORGANIZATION PARTICIPATING IN A PROGRAM ADOPTED BY A HOSPITAL ESTABLISHING THE TOTAL AMOUNT OF TRANSPORTATION SERVICES THE ORGANIZATION WILL PROVIDE TO ELIGIBLE INDIVIDUALS WHO ARE PATIENTS AT THE HOSPITAL THROUGH THE PROGRAM; AND~~

~~(3) PROVIDE INFORMATION TO A NONPROFIT ORGANIZATION ABOUT ELIGIBLE INDIVIDUALS THAT THE CARE COORDINATOR HAS SELECTED TO RECEIVE TRANSPORTATION SERVICES THROUGH THE PROGRAM IN A MANNER THAT COMPLIES WITH STATE AND FEDERAL PRIVACY LAWS.~~

~~(B) A PROGRAM MAY NOT PROVIDE TRANSPORTATION;~~

~~(1) TO AN ELIGIBLE INDIVIDUAL FOR MORE THAN 120 DAYS AT A TIME; OR~~

~~(2) TO AN INDIVIDUAL WHO REQUESTS TRANSPORTATION BUT DOES NOT USE THE TRANSPORTATION PROVIDED ON MORE THAN ONE OCCASION.~~

~~13-4804.~~

~~(A) A HOSPITAL MAY ADOPT A PROGRAM IN ACCORDANCE WITH THIS SUBTITLE.~~

~~(B) IF A HOSPITAL ADOPTS A PROGRAM, THE HOSPITAL SHALL:~~

~~(1) CONTRACT WITH A NONPROFIT ORGANIZATION TO PROVIDE TRANSPORTATION TO ELIGIBLE INDIVIDUALS WHO ARE PATIENTS AT THE HOSPITAL IN ACCORDANCE WITH THIS SUBTITLE; AND~~

~~(2) ESTABLISH AND ADOPT A PROCESS OF NOTIFYING PATIENTS AT THE HOSPITAL ABOUT SERVICES AVAILABLE THROUGH THE PROGRAM.~~

~~(C) A HOSPITAL CARE COORDINATOR SHALL:~~

~~(1) DETERMINE WHICH PATIENTS OF THE HOSPITAL WHO ARE INTERESTED IN RECEIVING TRANSPORTATION SERVICES THROUGH THE PROGRAM ARE ELIGIBLE INDIVIDUALS;~~

~~(2) DETERMINE WHICH ELIGIBLE INDIVIDUALS WILL RECEIVE TRANSPORTATION THROUGH THE PROGRAM IN ACCORDANCE WITH THE BUDGET PROVIDED BY THE NONPROFIT ORGANIZATION; AND~~

~~(3) COORDINATE TRANSPORTATION FOR AN ELIGIBLE INDIVIDUAL WHO THE HOSPITAL CARE COORDINATOR SELECTS TO RECEIVE TRANSPORTATION TO TRAVEL TO AND FROM RECEIVING MEDICAL SERVICES IN ACCORDANCE WITH THIS SUBTITLE.~~

~~(D) IF A HOSPITAL ENTERS INTO A CONTRACT WITH A NONPROFIT ORGANIZATION FOR THE PURPOSES OF PROVIDING TRANSPORTATION THROUGH THE PROGRAM, A HOSPITAL SHALL REPORT THE NAME AND CONTACT INFORMATION OF THE NONPROFIT ORGANIZATION TO THE DEPARTMENT WITHIN 30 DAYS AFTER THE DATE ON WHICH THE CONTRACT IS SIGNED.~~

~~13-4805.~~

~~(A) IN FISCAL YEAR 2025 AND EACH FISCAL YEAR THEREAFTER, THE GOVERNOR SHALL INCLUDE IN THE ANNUAL BUDGET BILL AN APPROPRIATION OF AT LEAST \$1,000,000 TO THE DEPARTMENT FOR THE PURPOSES OF CARRYING OUT THIS SUBTITLE.~~

~~(B) EACH FISCAL YEAR, THE DEPARTMENT SHALL DISTRIBUTE THE FUNDS APPROPRIATED UNDER SUBSECTION (A) OF THIS SECTION:~~

~~(1) TO EACH NONPROFIT ORGANIZATION THAT PROVIDES SERVICES THROUGH THE PROGRAM, AS REPORTED UNDER § 13-4804(D) OF THIS SUBTITLE; AND~~

~~(2) IN AN AMOUNT PROPORTIONAL TO THE NONPROFIT ORGANIZATION'S ESTIMATED ANNUAL BUDGET FOR PROVIDING TRANSPORTATION UNDER THE PROGRAM.~~

Article – Transportation

7-1002.

(a) There is a Maryland Senior Rides Program in the Administration.

(b) The purpose of the Program is to encourage regional providers to provide door-to-door transportation for low-income to moderate-income seniors.

(c) The Administration shall award grants to qualified Program applicants, as provided in § 7-1003 of this subtitle, for the operation of transportation services as specified in this section.

(d) To be eligible for a grant under § 7-1003 of this subtitle, a Program applicant shall:

(1) Provide door-to-door transportation for low-income to moderate-income seniors who have difficulty accessing or using other existing transportation systems;

(2) Use primarily volunteer drivers who drive their own vehicles;

(3) Use a dispatcher system to respond quickly to requests from low-income to moderate-income seniors for door-to-door transportation; and

(4) Define a geographic area for which door-to-door transportation is provided.

(e) A Program participant may provide door-to-door transportation to an eligible senior who does not reside in the geographic area defined by the Program participant under subsection (d)(4) of this section when applying to participate in the Program, so long as service is not diminished to an eligible senior who does reside in the defined geographic area.

(f) A Program participant shall expend a matching fund of at least 25% of the total capital or operating costs associated with providing door-to-door transportation for low-income to moderate-income seniors.

(g) [The Administration may not award more than \$500,000 in grants per year.

(h)] A Program participant may charge reasonable fees for door-to-door transportation provided by the Program participant.

[(i)] **(H)** Nothing in this section prohibits a Program participant from providing services in addition to those described in subsection (d) of this section.

7-1102.

There is a Job Access and Reverse Commute Program in the Administration.

[7-1107.

Funds for the Program shall be as provided by the Governor in the State budget, not to exceed \$400,000 annually.]

7-1107.

THE GOVERNOR SHALL PROVIDE FUNDING FOR THE PROGRAM IN THE STATE BUDGET.

7-1109.

(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) “STATE AGENCY” MEANS AN EXECUTIVE DEPARTMENT, AGENCY, OR OFFICE OF THE STATE.

(3) “TRANSPORTATION-DISADVANTAGED” MEANS AN INDIVIDUAL WHO QUALIFIES FOR FEDERALLY CONDUCTED OR FEDERALLY ASSISTED TRANSPORTATION-RELATED PROGRAMS OR SERVICES, AS IMPLEMENTED AND COORDINATED BY A STATE AGENCY, DUE TO DISABILITY, INCOME, OR ADVANCED AGE.

(B) THERE IS A STATE COORDINATING COMMITTEE FOR HEALTH AND HUMAN SERVICES TRANSPORTATION.

(C) THE COMMITTEE CONSISTS OF THE FOLLOWING MEMBERS:

- (1) THE SECRETARY, OR THE SECRETARY'S DESIGNEE;**
- (2) THE SECRETARY OF HUMAN SERVICES, OR THE SECRETARY'S DESIGNEE;**
- (3) THE SECRETARY OF HEALTH, OR THE SECRETARY'S DESIGNEE;**
- (4) THE SECRETARY OF AGING, OR THE SECRETARY'S DESIGNEE;**
- (5) THE SECRETARY OF DISABILITIES, OR THE SECRETARY'S DESIGNEE;**
- (6) THE SECRETARY OF HOUSING AND COMMUNITY DEVELOPMENT, OR THE SECRETARY'S DESIGNEE;**
- (7) THE SECRETARY OF PLANNING, OR THE SECRETARY'S DESIGNEE;**
- (8) THE SECRETARY OF VETERANS AFFAIRS, OR THE SECRETARY'S DESIGNEE;**
- (9) THE SECRETARY OF LABOR, OR THE SECRETARY'S DESIGNEE;**
- (10) THE DIRECTOR OF THE GOVERNOR'S OFFICE FOR THE DEAF AND HARD OF HEARING, OR THE DIRECTOR'S DESIGNEE;**
- (11) THE EXECUTIVE DIRECTOR OF THE MARYLAND DEVELOPMENTAL DISABILITIES COUNCIL, OR THE EXECUTIVE DIRECTOR'S DESIGNEE;**
- (12) THE EXECUTIVE BOARD CHAIR OF THE RURAL MARYLAND COUNCIL, OR THE EXECUTIVE BOARD CHAIR'S DESIGNEE; AND**
- (13) ANY ADDITIONAL MEMBERS RECOMMENDED BY THE CHAIR OF THE COMMITTEE AND APPOINTED BY THE GOVERNOR TO PROVIDE INPUT FROM LOCAL GOVERNMENTS, EMPLOYERS, AGENCIES, AND ORGANIZATIONS SERVING PRIORITY POPULATIONS, TRANSPORTATION PROVIDERS, AND CONSUMERS FROM PRIORITY POPULATIONS.**

(D) (1) THE APPOINTED MEMBERS SERVE AT THE PLEASURE OF THE GOVERNOR.

(2) THE TERM OF AN APPOINTED MEMBER IS 3 YEARS.

(3) THE GOVERNOR MAY STAGGER THE TERMS OF THE APPOINTED MEMBERS.

(E) THE SECRETARY, OR THE DESIGNEE OF THE SECRETARY, SHALL CHAIR THE COMMITTEE.

(F) THE DEPARTMENT SHALL PROVIDE STAFF FOR THE COMMITTEE.

(G) A MEMBER OF THE COMMITTEE:

(1) MAY NOT RECEIVE COMPENSATION AS A MEMBER OF THE COMMITTEE; BUT

(2) IS ENTITLED TO REIMBURSEMENT FOR EXPENSES UNDER THE STANDARD STATE TRAVEL REGULATIONS, AS PROVIDED IN THE STATE BUDGET.

(H) THE COMMITTEE SHALL:

(1) EXAMINE THE TRANSPORTATION NEEDS OF RESIDENTS OF THE STATE WHO:

(I) ARE ELDERLY;

(II) HAVE A DISABILITY; OR

(III) REQUIRE TRANSPORTATION TO ACCESS JOBS, MEDICAL AND OTHER HEALTH-RELATED APPOINTMENTS, SENIOR CITIZEN PROGRAMS, OR OTHER PROGRAMS REQUIRING THE TRANSPORTATION OF INDIVIDUALS WHO QUALIFY AS TRANSPORTATION-DISADVANTAGED;

(2) COORDINATE EFFORTS IN THE STATE TO PROVIDE QUALITY HEALTH AND HUMAN SERVICES TRANSPORTATION SERVICES BY WORKING WITH APPROPRIATE FEDERAL, STATE, AND LOCAL AGENCIES, TRANSIT CONSUMERS, AND TRANSPORTATION PROVIDERS, TO DEVELOP A COOPERATIVE AND COORDINATED HEALTH AND HUMAN SERVICES TRANSPORTATION SYSTEM;

(3) CONDUCT AN INVENTORY AND ASSESSMENT OF HEALTH AND HUMAN SERVICES TRANSPORTATION PROVIDERS IN THE STATE;

(4) DEVISE A 5-YEAR HEALTH AND HUMAN SERVICES TRANSPORTATION PLAN THAT SETS GOALS AND OBJECTIVES TO HELP TRANSPORTATION-DISADVANTAGED RESIDENTS OF THE STATE ACCESS JOBS, EDUCATION AND TRAINING PROGRAMS, HEALTH CARE SERVICES, AND OTHER ACTIVITIES BY PROVIDING COST-EFFECTIVE, AFFORDABLE, HIGH-CAPACITY, HIGH-QUALITY, EASILY UNDERSTOOD, AND SAFE AND ACCESSIBLE TRANSPORTATION; AND

(5) (I) SERVE AS THE CLEARINGHOUSE FOR HEALTH AND HUMAN SERVICES TRANSPORTATION COORDINATION ISSUES IN THE STATE;

(II) IDENTIFY AND FACILITATE RESOLUTION TO ISSUES REGARDING HEALTH AND HUMAN SERVICES TRANSPORTATION, BOTH LOCALLY AND STATEWIDE;

(III) PARTICIPATE IN THE IDENTIFICATION OF POTENTIAL ALLOCATIONS OF HEALTH AND HUMAN SERVICES TRANSPORTATION RESOURCES DURING EMERGENCY EVACUATIONS;

(IV) EVALUATE COST-SAVING MEASURES;

(V) INVESTIGATE THE NEED FOR THE ESTABLISHMENT OF STANDARDS FOR VEHICLES AND DRIVERS WITHIN HEALTH AND HUMAN SERVICES TRANSPORTATION PROGRAMS; AND

(VI) EXAMINE OTHER APPROPRIATE AREAS TO FACILITATE THE DEVELOPMENT OF A QUALITY HEALTH AND HUMAN SERVICES TRANSPORTATION SYSTEM IN THE STATE.

(I) ON OR BEFORE SEPTEMBER 1 EACH YEAR, THE COMMITTEE SHALL REPORT ON ITS ACTIVITIES TO THE GOVERNOR AND, IN ACCORDANCE WITH § 2-1257 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2023.

Approved by the Governor, May 3, 2023.