
By: **Delegates Nathan-Pulliam, Boutin, Burns, Cole, D. Davis, Frush,
Fulton, Hammen, Harrison, Hubbard, A. Jones, Klausmeier, Oaks,
Owings, Phillips, Stern, Morhaim, McHale, Stull, and Branch**

Introduced and read first time: February 6, 2002

Assigned to: Environmental Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Health - Transportation Assistance for Renal Dialysis Patients**

3 FOR the purpose of requiring the Department of Transportation to adopt certain
4 regulations regarding minimum service quality standards for the transportation
5 of renal dialysis patients; defining certain terms; providing for an exemption
6 from these regulations; establishing a Renal Dialysis Door-Through-Door
7 Transportation Pilot Program; providing that the Pilot Program only applies in
8 Baltimore City; providing for the purpose of the Pilot Program; requiring the
9 Pilot Program to be administered by the Department of Transportation, in
10 cooperation with the Department of Health and Mental Hygiene; providing for
11 the funding of the Pilot Program; establishing minimum qualifications for aides
12 assisting patients in the Pilot Program; specifying certain minimum standards
13 for equipment to be used in the Pilot Program; requiring service providers
14 participating in the Pilot Program to attend certain meetings on a certain basis;
15 requiring the Department of Transportation to adopt certain regulations
16 regarding the Pilot Program; requiring the Department of Transportation to
17 make a certain report; providing for the termination of the Pilot Program; and
18 generally relating to the transportation of renal dialysis patients.

19 BY adding to
20 Article - Transportation
21 Section 7-103
22 Annotated Code of Maryland
23 (2001 Replacement Volume)

24 Preamble

25 WHEREAS, More than 260,000 Americans suffer from chronic kidney failure
26 and need renal dialysis or kidney transplantation to stay alive; and

27 WHEREAS, More than 2,300 renal dialysis patients in the Baltimore
28 metropolitan area travel to renal dialysis centers for treatment each week; and

1 WHEREAS, Many renal dialysis patients rely on nonemergency public
2 transportation to transport them to and from renal dialysis treatments, accounting
3 for more than 13,800 one-way trips each week; and

4 WHEREAS, Nonemergency public transportation to and from renal dialysis
5 treatments is a challenge for some renal dialysis patients who, due to the fragile
6 nature of their health, require more intensive transportation assistance than is
7 currently available; and

8 WHEREAS, At least 60 fragile renal dialysis patients in Baltimore City
9 require personal assistance in traveling in and out of their residence and their
10 dialysis center in order to receive renal dialysis treatments; and

11 WHEREAS, Most fragile renal dialysis patients lack the financial resources to
12 afford more intensive, door-through-door transportation assistance to and from their
13 needed renal dialysis treatments; now, therefore,

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

16 **Article - Transportation**

17 7-103.

18 (A) IN THIS SECTION, "SERVICE PROVIDER" MEANS:

19 (1) THE ADMINISTRATION; OR

20 (2) ANY OTHER ENTITY THAT OFFERS ALTERNATIVE TRANSPORTATION
21 SERVICES FOR PEOPLE QUALIFIED UNDER THE AMERICANS WITH DISABILITIES ACT
22 OF 1990, PARATRANSIT SERVICES, MOBILITY SERVICES, OR THEIR EQUIVALENT.

23 (B) THIS SECTION DOES NOT APPLY TO TRANSPORTATION SERVICES
24 PROVIDED TO A RENAL DIALYSIS PATIENT BY:

25 (1) FIXED-ROUTE SCHEDULED SERVICES PROVIDED BY THE
26 ADMINISTRATION;

27 (2) A TAXICAB, AS DEFINED BY § 1-101(HH) OF THE PUBLIC UTILITY
28 COMPANIES ARTICLE;

29 (3) A RELATIVE, NEIGHBOR, OR FRIEND WHO TRANSPORTS A RENAL
30 DIALYSIS PATIENT BY MUTUAL CHOICE AND AGREEMENT; OR

31 (4) ANY OTHER METHOD OF TRANSPORTATION AS DETERMINED BY THE
32 DEPARTMENT.

33 (C) ON OR BEFORE OCTOBER 1, 2002, THE DEPARTMENT, IN COOPERATION
34 WITH THE NATIONAL KIDNEY FOUNDATION OF MARYLAND, SHALL ADOPT

1 REGULATIONS REGARDING MINIMUM SERVICE QUALITY STANDARDS FOR THE
2 TRANSPORTATION OF RENAL DIALYSIS PATIENTS.

3 (D) THE REGULATIONS SHALL REQUIRE A SERVICE PROVIDER TO:

4 (1) ESTABLISH AND MAINTAIN A DEDICATED TELEPHONE LINE TO BE
5 USED FOR:

6 (I) PRESCHEDULING OF RIDES TO AND FROM RENAL DIALYSIS
7 TREATMENT APPOINTMENTS;

8 (II) IDENTIFICATION AND RESOLUTION OF PROBLEMS OR ISSUES
9 RELATING TO THE TRANSPORTATION OF RENAL DIALYSIS PATIENTS TO AND FROM
10 RENAL DIALYSIS TREATMENT APPOINTMENTS;

11 (III) COORDINATION OF RETURN TRIPS FROM A RENAL DIALYSIS
12 TREATMENT APPOINTMENT IN THE EVENT OF AN UNANTICIPATED MEDICAL OR
13 TECHNICAL COMPLICATION THAT IMPACTS A PRESCHEDULED RETURN RIDE FROM A
14 RENAL DIALYSIS TREATMENT APPOINTMENT; AND

15 (IV) ANY OTHER PURPOSE NECESSARY TO ENSURE THE PROVISION
16 OF QUALITY TRANSPORTATION SERVICES TO RENAL DIALYSIS PATIENTS;

17 (2) STAFF THE DEDICATED TELEPHONE LINE WITH OPERATORS WHO,
18 WITHIN THE PAST 12 MONTHS, HAVE:

19 (I) VISITED A RENAL DIALYSIS TREATMENT CENTER ON AT LEAST
20 ONE OCCASION; AND

21 (II) PARTICIPATED IN A NATIONAL KIDNEY FOUNDATION RENAL
22 DIALYSIS EDUCATION WORKSHOP OR ITS EQUIVALENT, AS DETERMINE BY THE
23 DEPARTMENT;

24 (3) REQUIRE THAT, WHEN A VEHICLE ARRIVES TO PICK A PATIENT UP
25 FOR TRANSPORT TO OR FROM A RENAL DIALYSIS CENTER, THE DRIVER SHALL MAKE
26 THE PATIENT AWARE THAT THE VEHICLE HAS ARRIVED, INCLUDING KNOCKING ON
27 THE PATIENT'S DOOR, WHERE APPROPRIATE;

28 (4) PROVIDE TIMELY SERVICE TO AND FROM RENAL DIALYSIS
29 TREATMENT APPOINTMENTS, WITH THE EXCEPTION OF TRAFFIC, WEATHER, AND
30 UNPREDICTABLE VEHICLE PROBLEMS THAT ARE BEYOND THE CONTROL OF THE
31 PROVIDER;

32 (5) ESTABLISH A RIDE SCHEDULE FOR RENAL DIALYSIS PATIENTS, WITH
33 ALL RIDES CONSIDERED PERMANENT UNLESS A SCHEDULED CHANGE IS INITIATED
34 BY:

35 (I) THE PATIENT;

36 (II) THE PATIENT'S KIDNEY DIALYSIS CENTER; OR

1 (III) THE PATIENT'S REPRESENTATIVE; AND

2 (6) ESTABLISH AND MAINTAIN A FLEXIBLE BACKUP SYSTEM, WHICH
3 MAY INCLUDE BACKUP VEHICLES, FOR UNANTICIPATED MEDICAL OR TECHNICAL
4 COMPLICATIONS THAT IMPACT A PRESCHEDULED RETURN RIDE FROM A RENAL
5 DIALYSIS TREATMENT APPOINTMENT.

6 SECTION 2. AND BE IT ENACTED BY THE GENERAL ASSEMBLY OF
7 MARYLAND, That:

8 (a) There is a Renal Dialysis Door-Through-Door Transportation Pilot
9 Program.

10 (b) (1) The purpose of the Pilot Program is to provide, by prescheduled
11 appointment, door-through-door transportation assistance to and from renal dialysis
12 treatment appointments three times per week for each eligible participant.

13 (2) Transportation assistance shall be provided by trained aides who will
14 assist each eligible participant in and out of their residence, up and down stairs, into
15 and out of the transportation vehicle, and into and out of the renal dialysis center.

16 (c) The Pilot Program shall be administered by the Department of
17 Transportation, in cooperation with the Department of Health and Mental Hygiene.

18 (d) The Pilot Program shall be funded as provided in the State budget.

19 (e) The Pilot Program shall utilize existing vehicles that are currently being
20 used to transport renal dialysis patients to and from renal dialysis appointments in
21 Baltimore City.

22 (f) The Department of Transportation, in consultation with the Department of
23 Health and Mental Hygiene and the National Kidney Foundation of Maryland, shall
24 adopt regulations to:

25 (1) Establish specific eligibility criteria for the program;

26 (2) Establish any necessary fares for participation in the Pilot Program,
27 which shall not be more than the current fare for paratransit services in Baltimore
28 City; and

29 (3) Implement the Pilot Program on or before January 1, 2003.

30 (g) These regulations shall:

31 (1) Limit participation in the Pilot Program to no more than 60 fragile
32 end-stage renal dialysis patients in Baltimore City;

33 (2) Prohibit participation in the Pilot Program by individuals who are
34 receiving Medical Assistance;

1 (3) Require that each aide assisting participants in the Pilot Program
2 shall:

3 (i) Possess minimum competency, as defined by the Department of
4 Health and Mental Hygiene, in providing assistance to patients with mobility,
5 transfer, and ambulation including the use of a cane, walker, wheelchair, or other
6 assistive device;

7 (ii) Annually participate in a National Kidney Foundation renal
8 dialysis education workshop or its equivalent;

9 (4) Require that vehicles used to transport renal dialysis patients in the
10 Pilot Program shall be equipped with:

11 (i) An operational wheelchair lift, where appropriate;

12 (ii) A step stool or other appropriate item to assist patients in safely
13 boarding the vehicle; and

14 (iii) Any other item or equipment necessary to ensure the safe
15 transportation of renal dialysis patients, as required in regulations adopted by the
16 Department of Transportation.

17 (5) Require that each service provider participating in the Pilot Program
18 shall meet with the National Kidney Foundation of Maryland's Transportation Task
19 Force a minimum of four times annually.

20 (h) (1) On or before January 1, 2004, the Department of Transportation,
21 shall report to the Governor and, subject to § 2-1246 of the State Government Article,
22 the General Assembly on the implementation and performance of the Pilot Program.

23 (2) The report shall:

24 (i) Provide a detailed evaluation of the cost, benefits, and
25 operational experience of the Pilot Program;

26 (ii) Assess the effectiveness of the Pilot Program in meeting the
27 door-through-door transportation needs of fragile renal dialysis patients in
28 Baltimore City;

29 (iii) Make recommendations as to whether the Pilot Program should
30 be expanded or codified as a permanent program, including the feasibility and cost of
31 implementing such recommendations; and

32 (iv) If appropriate, include a legislative proposal to establish the
33 Pilot Program statewide.

34 SECTION 3. AND BE IT FURTHER ENACTED, That Section 2 of this Act
35 shall take effect October 1, 2002. It shall remain effective for a period of 1 year and 3

1 months and, at the end of January 1, 2004, with no further action required by the
2 General Assembly, Section 2 shall be abrogated and of no further force and effect.

3 SECTION 4. AND BE IT FURTHER ENACTED, That, except as provided in
4 Section 3 of this Act, this Act shall take effect July 1, 2002.