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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**

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Committee Report: Favorable with amendments  
House action: Adopted  
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CHAPTER \_\_\_\_\_

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)

1

## Preamble

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

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

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

9       ~~WHEREAS, Nonemergency public transportation to and from renal dialysis~~  
10 ~~treatments is a challenge for some renal dialysis patients who, due to the fragile~~  
11 ~~nature of their health, require more intensive transportation assistance than is~~  
12 ~~currently available; and~~

13       ~~WHEREAS, At least 60 fragile renal dialysis patients in Baltimore City~~  
14 ~~require personal assistance in traveling in and out of their residence and their~~  
15 ~~dialysis center in order to receive renal dialysis treatments; and~~

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

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

21

**Article - Transportation**

22 7-103.

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

24               (1)       THE ADMINISTRATION; OR

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

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

30               (1)       FIXED-ROUTE SCHEDULED SERVICES PROVIDED BY THE  
31 ADMINISTRATION;

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

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

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

5 (C) ON OR BEFORE OCTOBER 1, 2002, THE DEPARTMENT, IN COOPERATION  
6 WITH THE NATIONAL KIDNEY FOUNDATION OF MARYLAND, SHALL ADOPT  
7 REGULATIONS REGARDING MINIMUM SERVICE QUALITY STANDARDS FOR THE  
8 TRANSPORTATION OF RENAL DIALYSIS PATIENTS.

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

10 (1) ESTABLISH AND MAINTAIN A DEDICATED TELEPHONE LINE, TO BE  
11 USED DURING REGULAR BUSINESS HOURS, FOR:

12 (I) PRESCHEDULING OF RIDES TO AND FROM RENAL DIALYSIS  
13 TREATMENT APPOINTMENTS;

14 (II) IDENTIFICATION AND RESOLUTION OF PROBLEMS OR ISSUES  
15 RELATING TO THE TRANSPORTATION OF RENAL DIALYSIS PATIENTS TO AND FROM  
16 RENAL DIALYSIS TREATMENT APPOINTMENTS;

17 (III) COORDINATION OF RETURN TRIPS FROM A RENAL DIALYSIS  
18 TREATMENT APPOINTMENT IN THE EVENT OF AN UNANTICIPATED MEDICAL OR  
19 TECHNICAL COMPLICATION THAT IMPACTS A PRESCHEDULED RETURN RIDE FROM A  
20 RENAL DIALYSIS TREATMENT APPOINTMENT; AND

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

23 ~~(2) STAFF THE DEDICATED TELEPHONE LINE WITH OPERATORS WHO,  
24 WITHIN THE PAST 12 MONTHS, HAVE:~~

25 ~~(1) VISITED A RENAL DIALYSIS TREATMENT CENTER ON AT LEAST  
26 ONE OCCASION; AND~~

27 ~~(II) PARTICIPATED IN A NATIONAL KIDNEY FOUNDATION RENAL  
28 DIALYSIS EDUCATION WORKSHOP OR ITS EQUIVALENT, AS DETERMINE BY THE  
29 DEPARTMENT;~~

30 ~~(3) (2) REQUIRE REQUEST THAT, WHEN A VEHICLE ARRIVES TO PICK A  
31 PATIENT UP FOR TRANSPORT TO OR FROM A RENAL DIALYSIS CENTER, THE DRIVER  
32 SHALL MAKE THE PATIENT AWARE THAT THE VEHICLE HAS ARRIVED, INCLUDING  
33 KNOCKING ON THE PATIENT'S DOOR, ~~WHERE APPROPRIATE~~ WHENEVER FEASIBLE;  
34 AND~~

35 ~~(4) PROVIDE TIMELY SERVICE TO AND FROM RENAL DIALYSIS  
36 TREATMENT APPOINTMENTS, WITH THE EXCEPTION OF TRAFFIC, WEATHER, AND~~

~~1 UNPREDICTABLE VEHICLE PROBLEMS THAT ARE BEYOND THE CONTROL OF THE  
2 PROVIDER;~~

~~3 (5) (3) ESTABLISH A RIDE SCHEDULE FOR A MINIMUM OF 60% OF  
4 RENAL DIALYSIS PATIENTS, WITH ALL RIDES CONSIDERED PERMANENT UNLESS A  
5 SCHEDULED CHANGE IS INITIATED BY:~~

~~6 (I) THE PATIENT;~~

~~7 (II) THE PATIENT'S KIDNEY DIALYSIS CENTER; OR~~

~~8 (III) THE PATIENT'S REPRESENTATIVE; AND~~

~~9 (6) ESTABLISH AND MAINTAIN A FLEXIBLE BACKUP SYSTEM, WHICH  
10 MAY INCLUDE BACKUP VEHICLES, FOR UNANTICIPATED MEDICAL OR TECHNICAL  
11 COMPLICATIONS THAT IMPACT A PRESCHEDULED RETURN RIDE FROM A RENAL  
12 DIALYSIS TREATMENT APPOINTMENT.~~

~~13 SECTION 2. AND BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
14 MARYLAND, That:~~

~~15 (a) There is a Renal Dialysis Door-Through-Door Transportation Pilot  
16 Program.~~

~~17 (b) (1) The purpose of the Pilot Program is to provide, by prescheduled  
18 appointment, door-through-door transportation assistance to and from renal dialysis  
19 treatment appointments three times per week for each eligible participant.~~

~~20 (2) Transportation assistance shall be provided by trained aides who will  
21 assist each eligible participant in and out of their residence, up and down stairs, into  
22 and out of the transportation vehicle, and into and out of the renal dialysis center.~~

~~23 (c) The Pilot Program shall be administered by the Department of  
24 Transportation, in cooperation with the Department of Health and Mental Hygiene.~~

~~25 (d) The Pilot Program shall be funded as provided in the State budget.~~

~~26 (e) The Pilot Program shall utilize existing vehicles that are currently being  
27 used to transport renal dialysis patients to and from renal dialysis appointments in  
28 Baltimore City.~~

~~29 (f) The Department of Transportation, in consultation with the Department of  
30 Health and Mental Hygiene and the National Kidney Foundation of Maryland, shall  
31 adopt regulations to:~~

~~32 (1) Establish specific eligibility criteria for the program;~~

~~33 (2) Establish any necessary fares for participation in the Pilot Program,  
34 which shall not be more than the current fare for paratransit services in Baltimore  
35 City; and~~

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

2           (g)     ~~These regulations shall:~~

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

5           (2)     ~~Prohibit participation in the Pilot Program by individuals who are~~  
6 ~~receiving Medical Assistance;~~

7           (3)     ~~Require that each aide assisting participants in the Pilot Program~~  
8 ~~shall:~~

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

13                   (ii)    ~~Annually participate in a National Kidney Foundation renal~~  
14 ~~dialysis education workshop or its equivalent;~~

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

17                   (i)     ~~An operational wheelchair lift, where appropriate;~~

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

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

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

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

29                   (2)     ~~The report shall:~~

30                   (i)     ~~Provide a detailed evaluation of the cost, benefits, and~~  
31 ~~operational experience of the Pilot Program;~~

32                   (ii)    ~~Assess the effectiveness of the Pilot Program in meeting the~~  
33 ~~door-through-door transportation needs of fragile renal dialysis patients in~~  
34 ~~Baltimore City;~~

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

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

6     ~~SECTION 3. AND BE IT FURTHER ENACTED, That Section 2 of this Act~~  
7 ~~shall take effect October 1, 2002. It shall remain effective for a period of 1 year and 3~~  
8 ~~months and, at the end of January 1, 2004, with no further action required by the~~  
9 ~~General Assembly, Section 2 shall be abrogated and of no further force and effect.~~

10    SECTION 4. 2. AND BE IT FURTHER ENACTED, That, ~~except as provided~~  
11 ~~in Section 3 of this Act~~, this Act shall take effect July 1, 2002.