

**Department of Legislative Services**  
Maryland General Assembly  
2021 Session

**FISCAL AND POLICY NOTE**  
**Third Reader - Revised**

Senate Bill 184

(Senator McCray)

Finance

Environment and Transportation

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**Maryland Transit Administration – Reduced Fare Program for Opioid  
Treatment Program Patients – Program Requirements**

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This bill excludes an opioid treatment program from participating in the Maryland Transit Administration’s (MTA) Disabled Reduced Fare Program for Opioid Treatment Program Patients that was established by Chapter 577 of 2020 if the opioid treatment program has been subject to specified adverse enforcement actions by the Maryland Department of Health (MDH) within the last 10 years.

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**Fiscal Summary**

**State Effect:** The bill does not materially affect State operations or finances.

**Local Effect:** The bill does not materially affect local operations or finances.

**Small Business Effect:** Minimal.

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**Analysis**

**Bill Summary:** The bill excludes an opioid treatment program from participating in the Disabled Reduced Fare Program if the opioid treatment program has been subject to any of the following actions by MDH within the last 10 years: (1) a license suspension or revocation; (2) approval of a settlement agreement establishing specific conditions for continued program operation; or (3) an approved petition for receivership.

**Current Law:** Chapter 577 of 2020 requires MTA to make monthly transit passes available to opioid treatment programs for use by patients of the programs. The passes must be provided at a reduced price that reflects the price of a monthly pass under MTA’s

Disabled Reduced Fare Program, less any cost savings MTA experiences from having participating opioid treatment programs issue the transit passes directly to patients.

According to the [U.S. Department of Health and Human Services](#), drug addiction, including an addiction to opioids, is a disability under Section 504 of the Rehabilitation Act, the Americans with Disabilities Act, and Section 1557 of the Affordable Care Act, when the drug addiction substantially limits a major life activity. As such, Chapter 577 of 2020 did not expand eligibility for the program, since most or all patients in an opioid treatment program were already eligible for MTA's Disabled Reduced Fare Program.

**Additional Comments:** A patient being treated by an opioid treatment center that is excluded from the program as a result of the bill could still participate in MTA's Disabled Reduced Fare Program by obtaining a pass directly from MTA instead of through the opioid treatment center.

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### **Additional Information**

**Prior Introductions:** None.

**Designated Cross File:** None.

**Information Source(s):** Maryland Department of Transportation; Maryland Department of Health; U.S. Department of Health and Human Services; Department of Legislative Services

**Fiscal Note History:** First Reader - January 22, 2021  
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