

Department of Legislative Services
Maryland General Assembly
2021 Session

FISCAL AND POLICY NOTE
First Reader

Senate Bill 399
Finance

(Senator Carter)

Maryland Transit Administration - Disabled Reduced Fare Program for Opioid
Treatment Program Patients - Modifications

This bill modifies the Disabled Reduced Fair Program for Opioid Treatment Program Patients established by Chapter 577 of 2020 by requiring the Maryland Transit Administration (MTA) to allow opioid treatment programs to certify eligibility and issue identification (ID) cards to patients for participation in the program. The bill also requires MTA to establish through regulations the process by which opioid treatment centers may do so.

Fiscal Summary

State Effect: Transportation Trust Fund (TTF) expenditures increase significantly to purchase and provide the necessary technology, services, and equipment to ensure opioid treatment programs are able to issue ID cards. Revenues are not affected.

Local Effect: Although local health departments (LHDs) with participating opioid treatment programs may incur additional administrative costs, local finances are not anticipated to be significantly affected. In 2020, there were approximately five LHDs with opioid treatment services programs.

Small Business Effect: Minimal.

Analysis

Current Law: In order to participate in MTA's Disability Reduced Fare Program, (which allows a participating individual to purchase a monthly transit pass for \$22 instead of \$74), an individual must apply to MTA using a standardized form that is filled out by the

applicant and the applicant's physician. If an application is approved, MTA will then notify the applicant to visit MTA and have their photo taken for a reduced fare disability ID card. Using this disability ID card, the individual can then purchase a monthly pass at the discounted rate.

Chapter 577 of 2020 established the Disabled Reduced Fare Program for Opioid Treatment Program Patients, which 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. In order to obtain a pass from an opioid treatment program, MTA still requires an individual to first obtain the disability ID card discussed above.

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.

State Expenditures: TTF expenditures increase significantly for MTA to purchase and provide the necessary technology, services, and equipment to ensure that participating opioid treatment programs are able to issue ID cards; however, the total cost to MTA depends on how many opioid treatment programs participate in the program under the bill, which cannot be reliably estimated at this time. MTA estimates that there are more than 100 opioid treatment programs within a five-mile radius of Baltimore City, meaning participation could be substantial.

For illustrative purposes, MTA advises that for an opioid treatment program to issue its reduced fare ID cards, it needs printing equipment and related supplies, at an estimated cost of \$5,000 to \$10,000 per opioid treatment program. Moreover, MTA experiences additional programming costs (which is likely to total hundreds of thousands of dollars) to ensure that its existing database is capable of communicating with the new systems at each opioid treatment program. Additionally, depending on how many programs choose to participate, MTA is also likely to require additional administrative and technical support staff to work with and provide operational support to the opioid treatment programs (which could total hundreds of thousands of dollars, depending on how many staff are needed).

Additional Information

Prior Introductions: None.

Designated Cross File: None.

Information Source(s): Maryland Department of Transportation; Maryland Department of Health; Department of Legislative Services

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