

SENATE BILL 511

R2, J1

3lr2587
CF HB 596

By: **Senators Ellis and Hester**

Introduced and read first time: February 3, 2023

Assigned to: Finance and Budget and Taxation

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 9, 2023

CHAPTER _____

1 AN ACT concerning

2 **Health and Human Services Transportation Improvement Act of 2023**

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

11 ~~BY adding to~~
12 ~~Article – Health – General~~
13 ~~Section 13–4801 through 13–4805 to be under the new subtitle “Subtitle 48. Rural~~
14 ~~Nonemergency Medical Transportation Program”~~
15 ~~Annotated Code of Maryland~~
16 ~~(2019 Replacement Volume and 2022 Supplement)~~

17 BY repealing and reenacting, with amendments,
18 Article – Transportation
19 Section 7–1002
20 Annotated Code of Maryland
21 (2020 Replacement Volume and 2022 Supplement)

22 BY repealing and reenacting, without amendments,

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 Article – Transportation
 2 Section 7–1102
 3 Annotated Code of Maryland
 4 (2020 Replacement Volume and 2022 Supplement)

5 BY repealing
 6 Article – Transportation
 7 Section 7–1107
 8 Annotated Code of Maryland
 9 (2020 Replacement Volume and 2022 Supplement)

10 BY adding to
 11 Article – Transportation
 12 Section 7–1107 and 7–1109
 13 Annotated Code of Maryland
 14 (2020 Replacement Volume and 2022 Supplement)

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

17 ~~Article – Health – General~~

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

19 ~~13-4801.~~

20 ~~(A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS~~
 21 ~~INDICATED:~~

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

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

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

28 ~~(ii) OWNS A CAR;~~

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

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

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

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

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

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

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

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

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

15 ~~(1) IS:~~

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

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

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

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

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

25 ~~(1) ALLEGANY COUNTY;~~

26 ~~(2) CALVERT COUNTY;~~

27 ~~(3) CAROLINE COUNTY;~~

28 ~~(4) CARROLL COUNTY;~~

- 1 ~~(5) CECIL COUNTY;~~
2 ~~(6) CHARLES COUNTY;~~
3 ~~(7) DORCHESTER COUNTY;~~
4 ~~(8) FREDERICK COUNTY;~~
5 ~~(9) GARRETT COUNTY;~~
6 ~~(10) HARFORD COUNTY;~~
7 ~~(11) KENT COUNTY;~~
8 ~~(12) QUEEN ANNE'S COUNTY;~~
9 ~~(13) SOMERSET COUNTY;~~
10 ~~(14) ST. MARY'S COUNTY;~~
11 ~~(15) TALBOT COUNTY;~~
12 ~~(16) WASHINGTON COUNTY;~~
13 ~~(17) WICOMICO COUNTY; OR~~
14 ~~(18) WORCESTER COUNTY.~~

15 ~~13-4802.~~

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

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

21 ~~13-4803.~~

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

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

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

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

10 ~~(B) A PROGRAM MAY NOT PROVIDE TRANSPORTATION:~~

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

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

15 ~~13-4804.~~

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

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

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

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

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

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

28 ~~(2) DETERMINE WHICH ELIGIBLE INDIVIDUALS WILL RECEIVE~~
29 ~~TRANSPORTATION THROUGH THE PROGRAM IN ACCORDANCE WITH THE BUDGET~~
30 ~~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 (1) Provide door-to-door transportation for low-income to
2 moderate-income seniors who have difficulty accessing or using other existing
3 transportation systems;

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

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

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

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

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

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

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

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

22 7-1102.

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

24 [7-1107.

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

27 7-1107.

28 **THE GOVERNOR SHALL PROVIDE FUNDING FOR THE PROGRAM IN THE STATE**
29 **BUDGET.**

30 7-1109.

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

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

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

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

12 **(C) THE COMMITTEE CONSISTS OF THE FOLLOWING MEMBERS:**

13 **(1) THE SECRETARY, OR THE SECRETARY’S DESIGNEE;**

14 **(2) THE SECRETARY OF HUMAN SERVICES, OR THE SECRETARY’S**
15 **DESIGNEE;**

16 **(3) THE SECRETARY OF HEALTH, OR THE SECRETARY’S DESIGNEE;**

17 **(4) THE SECRETARY OF AGING, OR THE SECRETARY’S DESIGNEE;**

18 **(5) THE SECRETARY OF DISABILITIES, OR THE SECRETARY’S**
19 **DESIGNEE;**

20 **(6) THE SECRETARY OF HOUSING AND COMMUNITY DEVELOPMENT,**
21 **OR THE SECRETARY’S DESIGNEE;**

22 **(7) THE SECRETARY OF PLANNING, OR THE SECRETARY’S DESIGNEE;**

23 **(8) THE SECRETARY OF VETERANS AFFAIRS, OR THE SECRETARY’S**
24 **DESIGNEE;**

25 **(9) THE SECRETARY OF LABOR, OR THE SECRETARY’S DESIGNEE;**

26 **(10) THE DIRECTOR OF THE GOVERNOR’S OFFICE FOR THE DEAF AND**
27 **HARD OF HEARING, OR THE DIRECTOR’S DESIGNEE;**

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

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

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

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

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

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

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

27 **(IV) EVALUATE COST-SAVING MEASURES;**

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

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

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

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

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.