

Title 11
DEPARTMENT OF TRANSPORTATION
Subtitle 06 MARYLAND TRANSIT ADMINISTRATION
11.06.04 Distribution of Fare Products by Opioid Treatment Centers

Authority: Transportation Article, §7-712, Annotated Code of Maryland

Notice of Proposed Action

[20-162-P]

The Administrator of the Maryland Transit Administration proposes to adopt new Regulations **.01—.06** under a new chapter, **COMAR 11.06.04 Distribution of Fare Products by Opioid Treatment Centers**.

Statement of Purpose

The purpose of this action is to establish a process by which qualified patients of opioid treatment centers may be issued a reduced fare transit pass by their participating treatment center.

Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

Estimate of Economic Impact

The proposed action has no economic impact.

Economic Impact on Small Businesses

The proposed action has minimal or no economic impact on small businesses.

Impact on Individuals with Disabilities

The proposed action has an impact on individuals with disabilities as follows:

Individuals with a substance abuse disorder may be positively impacted by this regulation to the extent that they are in the care of a participating opioid treatment center.

Opportunity for Public Comment

Comments may be sent to Nora Corasaniti, Deputy Director of Government Affairs, Maryland Department of Transportation, Maryland Transit Administration, 6 St. Paul Street, Baltimore, MD 21202, or call 410-767-2536, or email to ncorasaniti@mdot.maryland.gov. Comments will be accepted through November 23, 2020. A public hearing has not been scheduled.

.01 Scope.

This chapter governs the distribution of monthly fare products by opioid treatment centers to eligible individuals participating in opioid treatment programs.

.02 Definitions.

A. In this chapter, the following terms have the meanings indicated.

B. Terms Defined.

(1) "Administration" means the Maryland Transit Administration of the Department of Transportation established pursuant to Transportation Article, §7-201, Annotated Code of Maryland.

(2) "Eligible individual" means an individual enrolled in an opioid treatment center who qualifies for half fare prices under 49 CFR Part 609 and is certified by the Administration as eligible to receive reduced fare under the Administration's Reduced Fare Program.

(3) "Fare product" means the Reduced Fare Monthly or Reduced Fare 31-Day Pass issued by the Administration.

(4) "Opioid treatment center" means a facility enrolling eligible individuals in opioid treatment programs licensed by the Department of Health to provide behavior health services under COMAR 10.63.02.

.03 Application.

A. An opioid treatment center may issue fare products with the approval of the Administration.

B. Approval to issue fare products may be obtained by an opioid treatment center by submitting an application on a form provided by the Administration, which shall include the following information:

(1) Organization name, address, telephone number, primary email address, and contact individual;

(2) Department of Health behavioral health service license number, date of issue of license, and license expiration date; and

(3) Any other information required by the Administration.

C. The application shall be accompanied by a photocopy or electronic image of the opioid treatment center's license issued by the Department of Health.

D. Approval shall be for a period of 4 years. An opioid treatment center may renew its approval by submitting a new application to the Administration.

.04 Obligations of Opioid Treatment Centers.

A. After obtaining approval as required by Regulation .03 of this chapter, an opioid treatment center shall submit an agreement signed by an authorized individual of the opioid treatment center on the form required by the Administration, agreeing to the obligations listed in this regulation and other obligations required by the Administration.

B. The opioid treatment center shall maintain accurate, timely, and complete records of all transactions related to fare products acquired and distributed under Regulation .03 of this chapter.

C. The opioid treatment center shall provide periodic reports of its inventory of fare products to the Administration.

D. The opioid treatment center may only issue fare products to eligible individuals.

E. The opioid treatment center may charge a fee for fare products no more than the rate charged by the Administration for the fare product.

F. The opioid treatment center shall immediately report the loss or suspension of its license by the Department of Health.

G. If an opioid treatment center violates the agreement or obligations stated in this regulation, the Administration may suspend its approval to issue fare products for a period of 1 year or longer, depending on the severity of the offense.

H. Within 15 calendar days after receipt of a written determination, an opioid treatment center may appeal the denial or termination of approval to the Office of Administrative Hearings for a final decision in accordance with COMAR 28.02.01.

I. An aggrieved party may seek judicial review of any final administrative decision under this chapter in accordance with the provisions of the Administrative Procedure Act, State Government Article, §10-222, Annotated Code of Maryland.

.05 Payment and Rates for Monthly Passes.

A. The required payment for each fare product distributed by participating opioid treatment centers shall be the current rate established by the Administration for opioid treatment center fare products.

B. Opioid treatment centers shall pay the full amount of any fare products provided by the Administration upon receipt or other mutually agreed upon time.

.06 Inspections and Audits.

A. The Administration or its designee may conduct inspections and audits of opioid treatment center facilities, records, and processes related to this issuance of fare products by opioid treatment centers with notice of at least 30 days.

B. Inspections and audits will be conducted during regular operational hours at agreed-upon times unless an unannounced inspection or audit is warranted.

KEVIN B. QUINN, JR.
Administrator
Maryland Transit Administration