

**FIRST MODIFICATION TO  
STATE MEDICAL DIRECTOR AND OCCUPATIONAL MEDICAL SERVICES FOR  
MARYLAND STATE AGENCIES (No. 001B2600360)**

THIS FIRST MODIFICATION (“FIRST MODIFICATION”) is made as of this   20th   day of   March  , 2023 by and between Occupational Health Centers of the Southwest, P.A., d/b/a Concentra Medical Centers (the “Contractor”), and the State of Maryland, acting through the Department of General Services (the “Department”).

WHEREAS, on March 9, 2022, the Department entered into a contract with the Contractor for the State Medical Director and Occupational Medical Services Contract, Project No. 001B2600360, (the “Contract”) pursuant to the Sole Source Request for Quote dated January 13, 2022, and all amendments thereto issued in writing by the State (the “RFQ”); and

WHEREAS, the parties desire (i) to extend the Contract while the Department conducts a new procurement for services and awards a new contract, to ensure continuity of the State Medical Director Services for Maryland Agencies; (ii) to modify the Contract to revise the testing requirements for the non-federal - 6 panel and the MTA Police, MDTA Police, Sworn Law Enforcement and Public Safety - 7 panel; and (iii) to add the Maryland Department of Transportation (MDOT) non-federal drug test – 5 panel to the Contract.

NOW THEREFORE, IN CONSIDERATION of the promises and the covenants herein contained, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows;

- 1. Defined Terms.** All capitalized terms used in this First Modification shall have the same meaning as provided in the Contract.
- 2. Duration of Contract.** The Contract term under Contract Section 3, Period of Performance, is hereby extended twelve months, from April 1, 2023 through March 31, 2024 (the “Contract Extension”), unless terminated earlier as provided in the Contract.
- 3. Consideration and Payment.** Payment to the Contractor for the services under the Contract shall remain the same as stated in the Contractor’s Financial Proposal, RFQ Attachment F, dated February 3, 2022, and shall not exceed \$2,589,682 for the Contract Extension.
- 4. RFQ Section 2.3.7 Substance Abuse MRO** is hereby revised as follows:

The SMD shall function as the Substance Abuse Medical Review Officer (MRO) responsible for interpreting laboratory urinalysis reports, and for interviewing and/or examining donors with laboratory non-negative results. The SMD shall also advise donors, Agency Technical Representatives (ATR) and Designated Employer Representatives (DER) about confirmed drug test results.

The SMD shall perform MRO responsibilities in accordance with COMAR 17.04.09,<sup>2</sup> COMAR 12.04.01.15, and the Urine Specimen Collection Handbook published by the SAMHSA.

The SMD shall additionally perform MRO responsibilities in accordance with 49 CFR Part 40, as applicable.

The SMD shall assist positive donors who request a retest of the same specimen, as specified in the Health General Article §17-214, Annotated Code of Maryland. The retest will be conducted on the originally collected specimen sample.

On an as needed basis, the SMD shall meet with the Contract Manager to review and approve non-negative drug testing results.

The Contractor will be paid the firm fixed unit price per hour as specified in its Financial Quote for the number of hours of Substance Abuse MRO Services performed and approved by the DAC.

**5. RFQ Section 2.3.25 Non-Regulated/Substance Abuse Testing** is hereby revised as follows:

Non-federal drug tests shall be administered in accordance with requirements of the COMAR 11.02.11, COMAR 17.04.09, **and COMAR 12.04.01.15;** the SMD shall conduct drug and/or alcohol tests of employees/applicants under the following circumstances: follow-up, post-accident, pre-employment, random, reasonable suspicion, return to duty and personnel actions as defined in COMAR 17.04.09.

**6. RFQ Section 2.3.25.1 Non-Federal Drug Testing** is hereby revised as follows:

2.3.25.1 For non-federal drug tests, screening test results shall be determined to be positive based on the following cutoff levels (expressed in nanograms per milliliter):

**Figure 2: Non-Federal Drug Testing – 6 panel (excluding MTA/MDTA Police, Sworn Law Enforcement, and Public Safety)**

Initial Test	Initial Cutoff	Test	Confirmatory Test Cutoff
<del>Marijuana</del>	<del>50</del>		<del>15 ng/mL.</del>
Cocaine	300		150 ng/mL.
Opiates	300		300 ng/mL.
1. Codeine			300 ng/mL.
2. Morphine			300 ng/mL.
3. 6-Acetylmorphine			10 ng/mL.
Amphetamines	1000		<del>1000 ng/mL.</del>
1. Amphetamine			500 ng/mL.
2. Methamphetamine			500 ng/mL.*
3. Ecstasy/MDMA (3,4-methylenedioxy-methamphetamine)	500		250 ng/mL.
4. MDA (3,4-Methylenedioxyamphetamine)	500		250 ng/mL.

5. MDEA (3,4-methyleledioxy-N- ethyl-amphetamine)	<del>25</del> <u>500</u>	<del>25</del> <u>250</u> ng/mL.
6. Phencyclidine	25	25 mg/mL.
<b><u>Barbiturates</u></b>	<del>300</del> <u>200</u>	<u>200 ng/mL</u>
<b><u>Benzodiazepines</u></b>	<del>300</del> <u>200</u>	<u>100 ng/mL</u>

\*\*Specimen must also contain amphetamine at a concentration of greater than or equal to 200 ng/ml.

7. RFQ Section 2.3.25.1.3 is hereby revised as follows:

2.3.25.1.3 For MTA Police, **MDTA Police, Sworn Law Enforcement, and Public Safety**, non-federal drug tests, screening test results shall be determined to be positive based on the following cutoff levels (expressed in nanograms per milliliter):

**Figure 3: MTA Police, MDTA Police, Sworn Law Enforcement and Public Safety Non-Federal Drug Testing – 7 panel**

Police, Sworn Law Enforcement and Public Safety	Initial Test Cutoff	Confirmatory Test Cutoff
Marijuana	50	15 ng/mL.
Cocaine	300	150 ng/mL.
Opiates	300	300 ng/mL.
Amphetamines	1000	500 ng/mL.
Ecstasy/MDMA (3,4-methylenedioxy-methamphetamine)	500	250 ng/mL.
MDA (3,4-methylenedioxyamphetamine)	500	250 ng/mL.
MDEA (3,4-methyleledioxy-N-ethyl-amphetamine)	500	250 ng/mL.
Phencyclidine	25	25 ng/mL.
Barbiturates	300	<u>100</u> <del>200</del> ng/mL.
Benzodiazepines	300	<u>200</u> <del>100</del> ng/mL.

8. RFQ Section 2.3.25.1.4 is hereby revised as follows:

2.3.25.1.4 **For MDOT** non-federal drug tests, screening test results shall be determined to be positive based on the following cutoff levels (expressed in nanograms per milliliter):

Figure 4: ~~MDOT~~**MDTA Police** Non-Federal Drug Tests ~~= 5 Panel~~

<del>MDTA Police</del> <del>Pre-Employment Tests Only</del>	<del>Initial</del> <del>Test Cutoff</del>	<del>Confirmatory</del> <del>Test Cutoff</del>
<del>Marijuana</del>	<del>50</del>	<del>15 ng/mL</del>
<del>Barbiturates</del>	<del>200</del>	<del>200 ng/mL</del>
<del>Benzodiazepines</del>	<del>200</del>	<del>100 ng/mL</del>
<del>Cocaine</del>	<del>300</del>	<del>150 ng/mL</del>
<del>Opiates</del>	<del>2000</del>	<del>2000 ng/mL</del>
<del>Amphetamines</del>	<del>1000</del>	<del>500 ng/mL</del>
<del>Phencyclidine</del>	<del>25</del>	<del>25 ng/mL</del>
<del>Barbiturates</del>	<del>300</del>	<del>100 ng/mL</del>
<del>Benzodiazepines</del>	<del>300</del>	<del>200 ng/mL</del>

<u>Initial Test</u>	<u>Initial Test Cutoff<sup>1</sup></u>	<u>Confirmatory Test Cutoff</u>
<u>Marijuana metabolites (THCA)<sup>2</sup></u>	<u>50 ng/mL<sup>2</sup></u>	<u>15 ng/mL.</u>
<u>Cocaine metabolite (Benzoylecgonine)</u>	<u>150 ng/mL<sup>3</sup></u>	<u>100 ng/mL.</u>
<u>Codeine/Morphine</u>	<u>2000 ng/mL</u>	<u>2000 ng/mL. 2000 ng/mL</u>
1. <u>Hydrocodone/Hydromorphone</u>	<u>300 ng/mL</u>	<u>100 ng/mL. 100 ng/mL</u>
2. <u>Oxycodone/Oxymorphone</u>	<u>100 ng/mL</u>	<u>100 ng/mL. 100 ng/mL</u>
3. <u>6-Acetylmorphine</u>	<u>10 ng/mL</u>	<u>10 ng/mL.</u>
<u>Phencyclidine</u>	<u>25 ng/mL</u>	<u>25 ng/mL.</u>
<u>Amphetamine/Methamphetamine</u>	<u>500 ng/mL</u>	<u>250 ng/mL. 250 ng/mL</u>
1. <u>MDMA<sup>4</sup>/MDA<sup>5</sup></u>	<u>500 ng/mL</u>	<u>250 ng/mL. 250 ng/mL</u>

<sup>1</sup> For grouped analytes (i.e., two or more analytes that are in the same drug class and have the same initial test cutoff).

Immunoassay: The test must be calibrated with one analyte from the group identified as the target analyte. The cross-reactivity of the immunoassay to the other analyte(s) within the group must be 80 percent or greater; if not, separate immunoassays must be used for the analytes within the group.

Alternate technology: Either one analyte or all analytes from the group must be used for calibration, depending on the technology. At least one analyte within the group must have a concentration equal to or greater than the initial test cutoff or, alternatively, the sum of the analytes present (i.e., equal to or greater than the laboratory's validated limit of quantification) must be equal to or greater than the initial test cutoff.

<sup>2</sup> An immunoassay must be calibrated with the target analyte, Δ-9-tetrahydrocannabinol-9-carboxylic acid (THCA).

<sup>3</sup> Alternate technology (THCA and Benzoylecgonine): When using an alternate technology initial test for the specific target analytes of THCA and Benzoylecgonine, the laboratory must use the same cutoff for the initial and confirmatory tests (i.e., 15 mg/mL for THCA and 100 ng/mL for Benzoylecgonine).

<sup>4</sup> Methylenedioxymethamphetamine (MDMA).

<sup>5</sup> Methylenedioxyamphetamine (MDA).

**9. Scope of First Modification.** This First Modification amends the Contract specifically as described herein. Except as specifically revised by the terms of this First Modification, all of the terms of the Contract shall remain in full force and effect and shall apply to this First Modification.

IN WITNESS THEREOF, the parties have executed this First Modification as of the date hereinabove set forth.

CONTRACTOR:

STATE OF MARYLAND:

OCCUPATIONAL HEALTH CENTERS OF THE SOUTHWEST, P.A., D/B/A CONCENTRA MEDICAL CENTERS

DEPARTMENT OF BUDGET AND MANAGEMENT

*RGH*  
P. G. Hassett DO, MPH (Feb 13, 2023 13:45 PST)

*Arlene Brady*

By:  
Robert G. Hassett, DO, MPH

By:  
Or designee:

Print Name and Title  
President, Treasurer & Corporate Secretary

3-20-23

Date February 23, 2023

Date

*Janet W. Cobb, MD*  
Janet W. Cobb, MD (Feb 27, 2023 09:42 EST)

Witness/Attest Janet W. Cobb, MD  
Vice President

Witness

Approved for form and legal sufficiency  
this 20<sup>th</sup> day of March, 2023.

*Cliff R. Gray*  
Assistant Attorney General