
By: Prince George's County Delegation

Introduced and read first time: February 2, 1996

Assigned to: Economic Matters

Committee Report: Favorable

House action: Adopted

Read second time: February 28, 1996

CHAPTER ____

1 AN ACT concerning

2 **Prince George's County - Deputy Sheriffs - Workers' Compensation**

3 **PG 317-96**

4 FOR the purpose of extending the presumption of compensability under the workers'
5 compensation law to include, subject to certain conditions, Prince George's County
6 deputy sheriffs who suffer from heart disease or hypertension resulting in partial or
7 total disability or death; requiring certain Prince George's County deputy sheriffs to
8 submit certain medical disclosures to the Prince George's County Sheriff; and
9 providing that, subject to a certain limitation, workers' compensation benefits
10 received under this Act are in addition to certain retirement benefits.

11 BY repealing and reenacting, with amendments,
12 Article - Labor and Employment
13 Section 9-503(b) and (d)
14 Annotated Code of Maryland
15 (1991 Volume and 1995 Supplement)

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

18 **Article - Labor and Employment**

19 9-503.

20 (b) (1) A paid police officer employed by an airport authority, a county, the
21 Maryland-National Capital Park and Planning Commission, a municipality, or the State,
22 [or] a DEPUTY SHERIFF OF Montgomery County [deputy sheriff], OR, SUBJECT TO
23 PARAGRAPH (2) OF THIS SUBSECTION, A PRINCE GEORGE'S COUNTY DEPUTY

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1 SHERIFF is presumed to be suffering from an occupational disease that was suffered in
2 the line of duty and is compensable under this title if:

3 [(1)] (I) the police officer or deputy sheriff is suffering from heart disease
4 or hypertension; and

5 [(2)] (II) the heart disease or hypertension results in partial or total
6 disability or death.

7 (2) (I) A PRINCE GEORGE'S COUNTY DEPUTY SHERIFF IS ENTITLED
8 TO THE PRESUMPTION UNDER THIS SUBSECTION ONLY TO THE EXTENT THAT THE
9 INDIVIDUAL SUFFERS FROM HEART DISEASE OR HYPERTENSION THAT IS MORE
10 SEVERE THAN THE INDIVIDUAL'S HEART DISEASE OR HYPERTENSION CONDITION
11 EXISTING PRIOR TO THE INDIVIDUAL'S EMPLOYMENT AS A PRINCE GEORGE'S
12 COUNTY DEPUTY SHERIFF.

13 (II) TO BE ELIGIBLE FOR THE PRESUMPTION UNDER THIS
14 SUBSECTION, A PRINCE GEORGE'S COUNTY DEPUTY SHERIFF, AS A CONDITION OF
15 EMPLOYMENT, SHALL SUBMIT TO A MEDICAL EXAMINATION TO DETERMINE ANY
16 HEART DISEASE OR HYPERTENSION CONDITION EXISTING PRIOR TO THE
17 INDIVIDUAL'S EMPLOYMENT AS A PRINCE GEORGE'S COUNTY DEPUTY SHERIFF.

18 (d) (1) Except as provided in paragraph (2) of this [subtitle] SUBSECTION, any
19 paid fire fighter, paid fire fighting instructor, paid police officer, or any DEPUTY SHERIFF
20 OF Montgomery County OR PRINCE GEORGE'S COUNTY [deputy sheriff] who is eligible
21 for benefits under subsection (a), (b), or (c) of this section shall receive the benefits in
22 addition to any benefits that the individual is entitled to receive under the retirement
23 system in which the individual was a participant at the time of the claim.

24 (2) The benefits received under this title shall be adjusted so that the weekly
25 total of those benefits and retirement benefits does not exceed the weekly salary that was
26 paid to the fire fighter, fire fighting instructor, police officer, or deputy sheriff.

27 SECTION 2. AND BE IT FURTHER ENACTED, That, notwithstanding the
28 provisions of § 9-503(b)(2) of the Labor and Employment Article, a Prince George's
29 County deputy sheriff who is employed on or before September 30, 1996:

30 (1) As a condition of continued employment shall provide to the Prince
31 George's County Sheriff on or before December 31, 1996 a copy of a medical report
32 disclosing and describing any existing heart disease or hypertension from which the
33 deputy sheriff may be suffering; and

34 (2) Is entitled to the presumption under § 9-503(b) of the Labor and
35 Employment Article only to the extent that the individual suffers from heart disease or
36 hypertension that is more severe than the individual's heart disease or hypertension
37 condition existing as of the date of the medical report provided under paragraph (1) of
38 this section.

39 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
40 October 1, 1996.

