

HOUSE BILL 1007

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HB 828/99 - ECM

2000 Regular Session
0lr0771

By: **Prince George's County Delegation**
Introduced and read first time: February 11, 2000
Assigned to: Economic Matters

Committee Report: Favorable with amendments
House action: Adopted
Read second time: March 23, 2000

CHAPTER 160

1 AN ACT concerning

2 **Prince George's County - Correctional Officers - Workers' Compensation**
3 **PG 318-00**

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
6 County correctional officers who suffer from heart disease or hypertension
7 resulting in partial or total disability or death; requiring certain Prince George's
8 County correctional officers to submit certain medical disclosures to the Director
9 of the Prince George's County Department of Correctional Services; providing
10 that, subject to a certain limitation, workers' compensation benefits received
11 under this Act are in addition to certain retirement benefits; making a technical
12 correction; and generally relating to compensability of Prince George's County
13 correctional officers under the workers' compensation law.

14 BY repealing and reenacting, with amendments,
15 Article - Labor and Employment
16 Section 9-503(b) and (e)
17 Annotated Code of Maryland
18 (1999 Replacement Volume)

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

1

Article - Labor and Employment

2 9-503.

3 (b) (1) A paid police officer employed by an airport authority, a county, the
4 Maryland-National Capital Park and Planning Commission, a municipality, or the
5 State, a deputy sheriff of Montgomery County, or, subject to paragraph (2) of this
6 subsection, a Prince George's County deputy sheriff OR PRINCE GEORGE'S COUNTY
7 CORRECTIONAL OFFICER is presumed to be suffering from an occupational disease
8 that was ~~contracted~~ ~~CONTRACTED~~ in the line of duty and is compensable under this
9 title if:

10 (i) the police officer [or], deputy sheriff, OR CORRECTIONAL
11 OFFICER is suffering from heart disease or hypertension; and

12 (ii) the heart disease or hypertension results in partial or total
13 disability or death.

14 (2) (i) A Prince George's County deputy sheriff OR PRINCE GEORGE'S
15 COUNTY CORRECTIONAL OFFICER is entitled to the presumption under this
16 subsection only to the extent that the individual suffers from heart disease or
17 hypertension that is more severe than the individual's heart disease or hypertension
18 condition existing prior to the individual's employment as a Prince George's County
19 deputy sheriff OR PRINCE GEORGE'S COUNTY CORRECTIONAL OFFICER.

20 (ii) To be eligible for the presumption under this subsection, a
21 Prince George's County deputy sheriff OR PRINCE GEORGE'S COUNTY CORRECTIONAL
22 OFFICER, as a condition of employment, shall submit to a medical examination to
23 determine any heart disease or hypertension condition existing prior to the
24 individual's employment as a Prince George's County deputy sheriff OR PRINCE
25 GEORGE'S COUNTY CORRECTIONAL OFFICER.

26 (e) (1) Except as provided in paragraph (2) of this subsection, any paid
27 firefighter, paid fire fighting instructor, sworn member of the Office of the State Fire
28 Marshal, paid police officer, paid law enforcement employee of the Department of
29 Natural Resources, ~~or~~ deputy sheriff of Montgomery [County] COUNTY, ~~or~~ DEPUTY
30 SHERIFF OF Prince George's County ~~DEPUTY SHERIFF~~, OR PRINCE GEORGE'S COUNTY
31 CORRECTIONAL OFFICER who is eligible for benefits under subsection (a), (b), (c), or
32 (d) of this section shall receive the benefits in addition to any benefits that the
33 individual is entitled to receive under the retirement system in which the individual
34 was a participant at the time of the claim.

35 (2) The benefits received under this title shall be adjusted so that the
36 weekly total of those benefits and retirement benefits does not exceed the weekly
37 salary that was paid to the paid law enforcement employee of the Department of
38 Natural Resources, firefighter, fire fighting instructor, sworn member of the Office of
39 the State Fire Marshal, police officer, [or] deputy sheriff, OR PRINCE GEORGE'S
40 COUNTY CORRECTIONAL OFFICER.

1 SECTION 2. AND BE IT FURTHER ENACTED, That, notwithstanding the
2 provisions of § 9-503(b)(2) of the Labor and Employment Article, a Prince George's
3 County correctional officer who is employed on or before September 30, 2000:

4 (1) As a condition of continued employment shall provide to the Prince
5 George's County Director of the Department of Correctional Services on or before
6 December 31, 2000, a copy of a medical report disclosing and describing any existing
7 heart disease or hypertension from which the correctional officer may be suffering;
8 and

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

14 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
15 October 1, 2000.