HOUSE BILL 760

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By: **Delegates Wood, Elmore, Moe, and Owings**
Introduced and read first time: February 6, 2004
Assigned to: Economic Matters

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A BILL ENTITLED

1 AN ACT concerning

2 **Workers' Compensation - Evaluation of Permanent Impairments**

3 FOR the purpose of requiring that a licensed psychologist or a qualified physician
4   perform an evaluation of a permanent impairment in a workers' compensation
5   case that involves a behavioral or mental disorder; requiring that the report of a
6   permanent evaluation in a case that involves a behavioral or mental disorder be
7   submitted to the Workers' Compensation Commission in accordance with the
8   regulations of the Commission; and generally relating to the evaluation of a
9   permanent impairment under workers' compensation law.

10 BY repealing and reenacting, with amendments,
11   Article - Labor and Employment
12   Section 9-721
13   Annotated Code of Maryland
14   (1999 Replacement Volume and 2003 Supplement)

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

17 **Article - Labor and Employment**

18 9-721.

19   (a)   [A] EXCEPT AS PROVIDED IN SUBSECTION (C) OF THIS SECTION, A
20 physician shall evaluate a permanent impairment and report the evaluation to the
21 Commission in accordance with the regulations of the Commission.

22   (b)   A medical evaluation of a permanent impairment shall include information
23 about:

24   (1)   atrophy;

25   (2)   pain;

26   (3)   weakness; and

1   (4)   loss of endurance, function, and range of motion.

2   (C)   IF A PERMANENT IMPAIRMENT INVOLVES A BEHAVIORAL OR MENTAL
3 DISORDER, A LICENSED PSYCHOLOGIST OR QUALIFIED PHYSICIAN SHALL:

4   (1)   PERFORM AN EVALUATION OF THE PERMANENT IMPAIRMENT; AND

5   (2)   REPORT THE EVALUATION TO THE COMMISSION IN ACCORDANCE
6 WITH THE REGULATIONS OF THE COMMISSION.

7   SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
8 October 1, 2004.