

# HOUSE BILL 40

K1  
HB 670/10 – ECM

11r0450  
CF SB 1

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By: **Delegate Feldman**

Introduced and read first time: January 17, 2011

Assigned to: Economic Matters

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Committee Report: Favorable

House action: Adopted

Read second time: March 22, 2011

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Joint Committee on Workers' Compensation Benefit and Insurance**  
3 **Oversight – Membership**

4 FOR the purpose of increasing the membership of the Joint Committee on Workers'  
5 Compensation Benefit and Insurance Oversight to include a certain member;  
6 repealing obsolete provisions; making stylistic changes; and generally relating  
7 to membership of the Joint Committee on Workers' Compensation Benefit and  
8 Insurance Oversight.

9 BY repealing and reenacting, with amendments,  
10 Article – State Government  
11 Section 2–10A–03  
12 Annotated Code of Maryland  
13 (2009 Replacement Volume and 2010 Supplement)

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

16 **Article – State Government**

17 2–10A–03.

18 (a) There is a Joint Committee on Workers' Compensation Benefit and  
19 Insurance Oversight.

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 (b) (1) The Committee consists of [15] **16** members.

2 (2) Of the [15] **16** members:

3 (i) 1. 2 shall be members of the Senate appointed by the  
4 President of the Senate; **AND**

5 2. 2 shall be Delegates appointed by the Speaker of the  
6 House of Delegates; and

7 (ii) [11] **12** shall be appointed jointly by the President and the  
8 Speaker as follows:

9 1. 1 representative of the business community;

10 2. 1 representative of the Maryland labor organizations;

11 3. 1 representative of the Maryland building and  
12 construction labor organizations;

13 4. **1 REPRESENTATIVE OF A SELF-INSURED LOCAL**  
14 **GOVERNMENT ENTITY;**

15 [4.] **5.** 2 members of the public;

16 [5.] **6.** 1 member of the insurance industry;

17 [6.] **7.** 1 member of the Medical and Chirurgical  
18 Faculty of Maryland;

19 [7.] **8.** 1 member of a workers' compensation rating  
20 organization;

21 [8.] **9.** 2 members of the Bar of the Court of Appeals of  
22 Maryland, 1 of whom represents plaintiffs in workers' compensation cases and 1 of  
23 whom represents defendants in workers' compensation cases; and

24 [9.] **10.** 1 member who is certified by the Workers'  
25 Compensation Commission as a Maryland rehabilitation service provider.

26 (c) The members of the Committee serve at the pleasure of the presiding  
27 officer who appointed them.

28 (d) The President and the Speaker shall jointly appoint a Senator and a  
29 Delegate each to serve as cochair.

(e) (1) [(i)] The Committee shall examine and evaluate:

[1.] (I) the condition of the workers' compensation benefit and insurance structure in the State; and

[2.] (II) the effect of Chapters 590 and 591 of the Laws of Maryland of 1987 on that structure.

[(ii)] (2) This examination shall include the regulations adopted by the Workers' Compensation Commission that are to be used by physicians to measure impairment when preparing medical evaluations of claimants.

[(2) The Committee shall review the adequacy and appropriateness of all benefits specified in §§ 9–626 and 9–627(a) and (b) of the Labor and Employment Article and make recommendations for necessary changes prior to the 1992 Regular Session of the General Assembly.

(3) The Committee shall direct the Insurance Commissioner to prepare a feasibility study on alternative methods to determine the provision for claim payment and to submit the study to the Governor and the Legislative Policy Committee on or before January 1, 1991.]

(f) The Insurance Commissioner and the Workers' Compensation Commission shall:

(1) cooperate fully with the Committee;

(2) keep the Committee fully informed as to the condition of workers' compensation benefits and workers' compensation insurance in the State and the effect of Chapters 590 and 591 of the Laws of Maryland of 1987 on those benefits and that insurance; and

(3) submit an annual report, subject to § 2–1246 of this title, to the Committee on or before October 1 of each year that incorporates the information described in [paragraph] ITEM (2) of this subsection.

(g) The Committee shall report to the Governor and the Legislative Policy Committee on December 31 of each year.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2011.