

# SENATE BILL 1099

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By: **Senators Manno and Miller**

Introduced and read first time: March 3, 2014

Assigned to: Rules

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## A BILL ENTITLED

1 AN ACT concerning

2 **Workers' Compensation – Occupational Disease Presumptions – Paid**  
3 **Emergency Medical Services Providers**

4 FOR the purpose of extending the presumption of compensability under the workers'  
5 compensation law to include, under certain conditions, paid emergency medical  
6 services providers who suffer from heart disease, hypertension, or lung disease  
7 resulting in partial or total disability or death; extending the presumption of  
8 compensability under the workers' compensation law to include, under certain  
9 conditions, paid emergency medical services providers who suffer from certain  
10 cancers under certain circumstances; providing for the application of this Act;  
11 and generally relating to compensability of paid emergency medical services  
12 providers under the workers' compensation law.

13 BY repealing and reenacting, with amendments,  
14 Article – Labor and Employment  
15 Section 9–503(a) and (c)  
16 Annotated Code of Maryland  
17 (2008 Replacement Volume and 2013 Supplement)

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

20 **Article – Labor and Employment**

21 9–503.

22 (a) A paid firefighter, paid fire fighting instructor, **PAID EMERGENCY**  
23 **MEDICAL SERVICES PROVIDER**, or sworn member of the Office of the State Fire  
24 Marshal employed by an airport authority, a county, a fire control district, a  
25 municipality, or the State or a volunteer firefighter, volunteer fire fighting instructor,

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 volunteer rescue squad member, or volunteer advanced life support unit member who  
2 is a covered employee under § 9–234 of this title is presumed to have an occupational  
3 disease that was suffered in the line of duty and is compensable under this title if:

4 (1) the individual has heart disease, hypertension, or lung disease;

5 (2) the heart disease, hypertension, or lung disease results in partial  
6 or total disability or death; and

7 (3) in the case of a volunteer firefighter, volunteer fire fighting  
8 instructor, volunteer rescue squad member, or volunteer advanced life support unit  
9 member, the individual has met a suitable standard of physical examination before  
10 becoming a firefighter, fire fighting instructor, rescue squad member, or advanced life  
11 support unit member.

12 (c) A paid firefighter, paid fire fighting instructor, **PAID EMERGENCY**  
13 **MEDICAL SERVICES PROVIDER**, or a sworn member of the Office of the State Fire  
14 Marshal employed by an airport authority, a county, a fire control district, a  
15 municipality, or the State or a volunteer firefighter, volunteer fire fighting instructor,  
16 volunteer rescue squad member, or volunteer advanced life support unit member who  
17 is a covered employee under § 9–234 of this title is presumed to be suffering from an  
18 occupational disease that was suffered in the line of duty and is compensable under  
19 this title if the individual:

20 (1) has leukemia or prostate, rectal, throat, multiple myeloma,  
21 non–Hodgkin’s lymphoma, brain, testicular, or breast cancer that is caused by contact  
22 with a toxic substance that the individual has encountered in the line of duty;

23 (2) has completed at least 10 years of service as a firefighter, fire  
24 fighting instructor, **EMERGENCY MEDICAL SERVICES PROVIDER**, rescue squad  
25 member, or advanced life support unit member or in a combination of those jobs in the  
26 department where the individual currently is employed or serves;

27 (3) is unable to perform the normal duties of a firefighter, fire fighting  
28 instructor, **EMERGENCY MEDICAL SERVICES PROVIDER**, rescue squad member, or  
29 advanced life support unit member in the department where the individual currently  
30 is employed or serves because of the cancer or leukemia disability; and

31 (4) in the case of a volunteer firefighter, volunteer fire fighting  
32 instructor, volunteer rescue squad member, or volunteer advanced life support unit  
33 member, has met a suitable standard of physical examination before becoming a  
34 firefighter, fire fighting instructor, rescue squad member, or advanced life support unit  
35 member.

36 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be  
37 construed to apply only prospectively and may not be applied or interpreted to have

1 any effect on or application to any claim filed for an occupational disease before the  
2 effective date of this Act.

3 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect  
4 October 1, 2014.