

SENATE BILL 174

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6lr0563
CF 6lr1183

By: **Senator Feldman**

Introduced and read first time: January 18, 2016

Assigned to: Finance

A BILL ENTITLED

1 AN ACT concerning

2 **Workers' Compensation Commission – Location of Hearings – Claims Filed by**
3 **Employees of Governmental Agencies**

4 FOR the purpose of requiring the Workers' Compensation Commission, under certain
5 circumstances, to conduct a hearing on a claim filed by an employee of a
6 governmental agency be held at a certain regional hearing location; authorizing the
7 Commission to conduct the hearing at an alternative hearing location listed in a
8 certain provision of law under certain circumstances; making stylistic changes; and
9 generally relating to the location of hearings on workers' compensation claims filed
10 by employees of governmental agencies.

11 BY repealing and reenacting, without amendments,
12 Article – Labor and Employment
13 Section 9–724(a)
14 Annotated Code of Maryland
15 (2008 Replacement Volume and 2015 Supplement)

16 BY repealing and reenacting, with amendments,
17 Article – Labor and Employment
18 Section 9–724(b) and (c)
19 Annotated Code of Maryland
20 (2008 Replacement Volume and 2015 Supplement)

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

23 **Article – Labor and Employment**

24 9–724.

25 (a) In this section, “governmental agency” includes:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



- 1 (1) a county;
- 2 (2) a county board of education;
- 3 (3) a statutory bicounty agency; and
- 4 (4) an incorporated municipality.

5 (b) Except as provided in subsection (c) of this section, a covered employee may
6 elect to have a hearing on a claim of the covered employee held [at]:

7 (1) AT a regional hearing location determined by the Commission to be
8 convenient to all parties;

9 (2) AT a regional hearing location that covers the county where the covered
10 employee resided when the accidental personal injury, or compensable hernia, or last
11 injurious exposure to the hazards of the occupational disease allegedly occurred; or

12 (3) IN Baltimore City.

13 (c) (1) [Unless the covered employee objects] **EXCEPT AS PROVIDED IN**
14 **PARAGRAPH (2) OF THIS SUBSECTION**, if the employer is a governmental agency, the
15 Commission shall conduct a hearing:

16 (I) in the county in which the governmental agency is located,
17 [provided that] IF hearings of the Commission are scheduled in that county[.]; OR

18 [(2)] (II) [If] **AT THE REGIONAL HEARING LOCATION NEAREST THE**
19 **GOVERNMENT OFFICES OF THE COUNTY IN WHICH THE GOVERNMENTAL AGENCY IS**
20 **LOCATED, IF** hearings are not conducted in [the] **THAT** county [in which the governmental
21 agency is located, a hearing may be held in the regional hearing location nearest that
22 county's government offices].

23 (2) **IF THE COVERED EMPLOYEE DEMONSTRATES THROUGH A**
24 **DETAILED MEDICAL REPORT A MEDICAL NECESSITY TO HOLD A HEARING AT AN**
25 **ALTERNATIVE LOCATION, THE COMMISSION MAY CONDUCT THE HEARING AT AN**
26 **ALTERNATIVE LOCATION LISTED IN SUBSECTION (B) OF THIS SECTION.**

27 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June
28 1, 2016.