



JOHN A. OLSZEWSKI, JR.
County Executive

CHARLES R. CONNER III, ESQ.
Chief Legislative Officer

KIMBERLY S. ROUTSON
Deputy Legislative Officer

JOEL N. BELLER
Assistant Legislative Officer

BILL NO.: **SB 438**

TITLE: Workers Compensation Act – Death Benefits – Release of Claim

SPONSOR: Senator Klausmeier

COMMITTEE: Finance

POSITION: **SUPPORT WITH AMENDMENTS**

DATE: February 11, 2020

Baltimore County **SUPPORTS WITH AMENDMENTS** Senate Bill 438 – Workers Compensation Act – Death Benefits – Release of Claim. This bill would alter the circumstances under which an employee would be entitled to compensation for death resulting from accidental injury or occupational disease. The Workers Compensation Commission (WCC) would be obligated to establish a procedure by which a dependent of a covered employee may agree to the application of a final compromise and settlement.

At times, Baltimore County seeks to include a settlement of any future claims for potential surviving dependents in the settlement of workers compensation claims. This bill advances that policy objective by creating a procedure for the WCC to use that allows the dependent of a covered employee to agree to be bound through agreement of a final compromise and settlement the covered employee entered into and can provide for a release by the dependent of any future death benefits.

However, SB 438 does not address how to handle cases when the claimant fails to disclose all potential dependents, which is why we recommend an amendment that requires the claimant to identify all known living potential dependents who might be part of a proposed settlement agreement. This amendment would clarify an important nuance in the proposed legislation.

Accordingly, Baltimore County requests a **FAVORABLE WITH AMENDMENTS** report on SB 438. For more information, please contact Chuck Conner, Chief Legislative Officer, at 443-900-6582.