



THE SENATE OF MARYLAND
ANNAPOLIS, MARYLAND 21401

**Testimony in Support of SB0173 - Workers' Compensation - Occupational Disease
Presumptions - Hypertension**

Madame Chair, Mr. Vice Chair, and fellow members of the Senate Finance Committee:

SB0173 would clarify the definition of disablement for workers' compensation presumption coverage for hypertension.

Background

Workers' compensation law establishes a presumption of compensable occupational disease for certain public safety employees who are exposed to unusual hazards in the course of their employment. It is assumed that these injuries or diseases are due to the employees' work and, therefore, require no additional evidence in the filing of a claim for workers' compensation. Generally, presumptions are based on particular occupations and their associated health risks.

A covered employee who receives a presumption is entitled to workers' compensation benefits in addition to any benefits that the individual is entitled to receive under the retirement system in which the individual participated at the time of the claim. However, the weekly total of workers' compensation and retirement benefits may not exceed the weekly salary that was paid to the individual; any necessary adjustment is made against the workers' compensation benefits.

The clarification in this bill reinforces the original intent of the workers' compensation presumption coverage for hypertension that was first enacted in 1971. The proposed change ensures that disablement under § 9-502 is clearly defined by incorporating well-established medical criteria for hypertension as outlined in the 2022 edition of the National Fire Protection Association (NFPA) 1582 Standard on Comprehensive Occupational Medical Program for Fire Departments.

Solution

This bill's occupational disease presumption applies only to (1) volunteer and career firefighters; (2) firefighting instructors; (3) rescue squad members; (4) advanced life support unit members; and (5) fire marshals employed by an airport authority, a county, a fire control district, a municipality, or the State. Existing presumption eligibility provisions that require affected volunteers to meet a suitable standard of physical examination before becoming a volunteer

continue to apply. To demonstrate disablement and be deemed to have hypertension under the bill's expanded occupational disease presumption, an individual must:

- Have blood pressure readings that exceed 140 millimeters of mercury (mmHg) systolic or 90 mmHg diastolic as required for a finding of hypertension under the 2022 edition of the National Fire Protection Association 1582 Standard on Comprehensive Occupational Medical Program for Fire Departments; and
- Have been required to use prescribed medication to treat hypertension for at least 90 consecutive days.

This clarification is critical for several reasons. First, it aligns the workers' compensation presumption coverage with current medical standards, ensuring that individuals who experience significant hypertension-related health risks receive the support they deserve. Firefighters and emergency responders are routinely exposed to extreme physical and psychological stress, which has been scientifically linked to an increased risk of hypertension. Given the cumulative toll this takes on their health, it is imperative that we provide them with a clearly defined pathway to obtain the benefits they have rightfully earned.

Furthermore, by explicitly defining disablement criteria, this amendment reduces ambiguity in workers' compensation claims, fostering a fairer and more efficient adjudication process. Currently, the absence of a specific standard may lead to inconsistent rulings, prolonging the process and imposing unnecessary burdens on affected individuals. Implementing the NFPA 1582 guidelines ensures that claims are evaluated based on objective medical criteria rather than subjective interpretations.

Per the Fiscal Note, SB0173 would cause State expenditures to increase minimally beginning in FY26.

For these reasons, I respectfully request a favorable report on SB0173.