



Senate Bill 173

Workers' Compensation - Occupational Disease Presumptions - Hypertension

MACo Position:

To: Finance Committee

LETTER OF INFORMATION

Date: February 25, 2025

From: Karrington Anderson

The Maryland Association of Counties (MACo) offers the following **Letter of Information** regarding SB 173. This bill would significantly modify existing workers' compensation benefits for volunteer and paid firefighters diagnosed with hypertension by expanding eligibility and reducing current requirements. Overlaid upon Maryland's existing statutes and case laws, this would amount to a very consequential change in policy.

Under current law, volunteer and professional firefighters may qualify for workers' compensation under a presumption of hypertension, provided the condition leads to death or disability. SB 173 would eliminate this death or disability requirement, allowing claims even when the individual remains capable of working—fundamentally reshaping the purpose of workers' compensation.

Additionally, the bill lowers the medical threshold for eligibility by way of blood pressure readings that exceed 140 mm hg systolic or 90 mm hg diastolic as required for a finding of hypertension and a prescription for medication for at least 90 consecutive days. This is a drastic change from current law, wherein an injured worker traditionally must prove partial or total incapacitation. These changes complicate the ability to determine when hypertension began and whether it stems from firefighting duties or other contributing factors such as genetics and diet, as emerging scientific research suggests.

If enacted, SB 173 would likely result in a surge of claims from volunteer and professional firefighters seeking workers' compensation benefits for hypertension. Due to the bill's expanded eligibility criteria, most claims would lead to lifelong benefits. Undoubtedly, many cases that are unrelated to workplace effects will become fully, and permanently, compensable through workers' compensation.

MACo has consistently opposed creating presumptions in workers' compensation cases. Public employers are often required to compensate claims without clear evidence linking the condition to workplace exposure. Court rulings have repeatedly limited employers' ability to challenge these claims, making such presumptions nearly impossible to rebut. SB 173 would further exacerbate this imbalance.

Counties urge the Committee to carefully consider the fundamental principles of the workers' compensation system, and the concerns outlined in this letter when reviewing SB 173.