
By: Prince George's County Delegation

Introduced and read first time: February 2, 1996

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Prince George's County - Deputy Sheriffs - Workers' Compensation**
3 **PG 317-96**

4 FOR the purpose of extending the presumption of compensability under the workers'
5 compensation law to include, subject to certain conditions, Prince George's County
6 deputy sheriffs who suffer from heart disease or hypertension resulting in partial or
7 total disability or death; requiring certain Prince George's County deputy sheriffs to
8 submit certain medical disclosures to the Prince George's County Sheriff; and
9 providing that, subject to a certain limitation, workers' compensation benefits
10 received under this Act are in addition to certain retirement benefits.

11 BY repealing and reenacting, with amendments,
12 Article - Labor and Employment
13 Section 9-503(b) and (d)
14 Annotated Code of Maryland
15 (1991 Volume and 1995 Supplement)

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

18 **Article - Labor and Employment**

19 9-503.

20 (b) (1) A paid police officer employed by an airport authority, a county, the
21 Maryland-National Capital Park and Planning Commission, a municipality, or the State,
22 [or] a DEPUTY SHERIFF OF Montgomery County [deputy sheriff], OR, SUBJECT TO
23 PARAGRAPH (2) OF THIS SUBSECTION, A PRINCE GEORGE'S COUNTY DEPUTY
24 SHERIFF is presumed to be suffering from an occupational disease that was suffered in
25 the line of duty and is compensable under this title if:

26 [(1)] (I) the police officer or deputy sheriff is suffering from heart disease
27 or hypertension; and

28 [(2)] (II) the heart disease or hypertension results in partial or total
29 disability or death.

1 (2) (I) A PRINCE GEORGE'S COUNTY DEPUTY SHERIFF IS ENTITLED
2 TO THE PRESUMPTION UNDER THIS SUBSECTION ONLY TO THE EXTENT THAT THE
3 INDIVIDUAL SUFFERS FROM HEART DISEASE OR HYPERTENSION THAT IS MORE
4 SEVERE THAN THE INDIVIDUAL'S HEART DISEASE OR HYPERTENSION CONDITION
5 EXISTING PRIOR TO THE INDIVIDUAL'S EMPLOYMENT AS A PRINCE GEORGE'S
6 COUNTY DEPUTY SHERIFF.

7 (II) TO BE ELIGIBLE FOR THE PRESUMPTION UNDER THIS
8 SUBSECTION, A PRINCE GEORGE'S COUNTY DEPUTY SHERIFF, AS A CONDITION OF
9 EMPLOYMENT, SHALL SUBMIT TO A MEDICAL EXAMINATION TO DETERMINE ANY
10 HEART DISEASE OR HYPERTENSION CONDITION EXISTING PRIOR TO THE
11 INDIVIDUAL'S EMPLOYMENT AS A PRINCE GEORGE'S COUNTY DEPUTY SHERIFF.

12 (d) (1) Except as provided in paragraph (2) of this [subtitle] SUBSECTION, any
13 paid fire fighter, paid fire fighting instructor, paid police officer, or any DEPUTY SHERIFF
14 OF Montgomery County OR PRINCE GEORGE'S COUNTY [deputy sheriff] who is eligible
15 for benefits under subsection (a), (b), or (c) of this section shall receive the benefits in
16 addition to any benefits that the individual is entitled to receive under the retirement
17 system in which the individual was a participant at the time of the claim.

18 (2) The benefits received under this title shall be adjusted sothat the weekly
19 total of those benefits and retirement benefits does not exceed the weekly salary that was
20 paid to the fire fighter, fire fighting instructor, police officer, or deputy sheriff.

21 SECTION 2. AND BE IT FURTHER ENACTED, That, notwithstanding the
22 provisions of § 9-503(b)(2) of the Labor and Employment Article, a Prince George's
23 County deputy sheriff who is employed on or before September 30, 1996:

24 (1) As a condition of continued employment shall provide to thePrince
25 George's County Sheriff on or before December 31, 1996 a copy of a medical report
26 disclosing and describing any existing heart disease or hypertension from which the
27 deputy sheriff may be suffering; and

28 (2) Is entitled to the presumption under § 9-503(b) of the Labor and
29 Employment Article only to the extent that the individual suffers from heart disease or
30 hypertension that is more severe than the individual's heart disease orhypertension
31 condition existing as of the date of the medical report provided under paragraph (1) of
32 this section.

33 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
34 October 1, 1996.