

Department of Fiscal Services  
Maryland General Assembly

FISCAL NOTE  
Revised

Senate Bill 491 (Senator Roesser, et al.)

Finance

Referred to Economic Matters

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**Workers' Compensation -  
Drug-Free Workplace Program - Use of Drugs or Alcohol**

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This amended bill provides that a covered employee or dependent of a covered employee is not entitled to workers' compensation benefits, except for medical services and treatment, if:

- the claimant's alcohol or drug abuse was the proximate cause of an accidental on-the-job injury;
- the claimant's employer is in compliance with the drug-free workplace standards established by the Governor's Drug and Alcohol Abuse Commission;
- the drug or alcohol use was detected through an approved and properly-conducted test; and
- the level of intoxicant or drug equals or exceeds levels established by the U.S. Department of Transportation.

By October 1, 1999, the Workers' Compensation Commission must submit a report to the Workers' Compensation Benefit and Oversight Committee, the Senate Finance Committee, and the House Economic Matters Committee on the number of drug-free workplace programs that are certified annually and the number of workers' compensation cases in which benefits are denied. The bill sunsets on September 30, 2000.

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**Fiscal Summary**

**State Effect:** Potential minimal decrease in expenditures because the number of workers' compensation claims or the benefit level for certain workers' compensation claims could decline. The average workers' compensation claim cost for 1995 was \$21,000, which includes medical services and treatment. Since the State has very few alcohol or drug related accidents annually, any decrease is expected to be minimal. Revenues would not be affected.

**Local Effect:** Potential minimal decrease in expenditures to the extent that the local employer pays less workers' compensation premiums or claims. Revenues would not be affected.

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**Information Source(s):** Uninsured Employers' Fund, Subsequent Injury Fund, Injured Workers' Insurance Fund

**Fiscal Note History:** First Reader - February 9, 1996

ncs Revised - Senate Third Reader - March 27, 1996

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