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By: Delegates Exum, D. Davis, Gordon, Pendergrass, Kirk, Frank, Barve, and Boston

Introduced and read first time: February 12, 1998

Assigned to: Economic Matters

A BILL ENTITLED

| 1 | AN | ACT | concerning |
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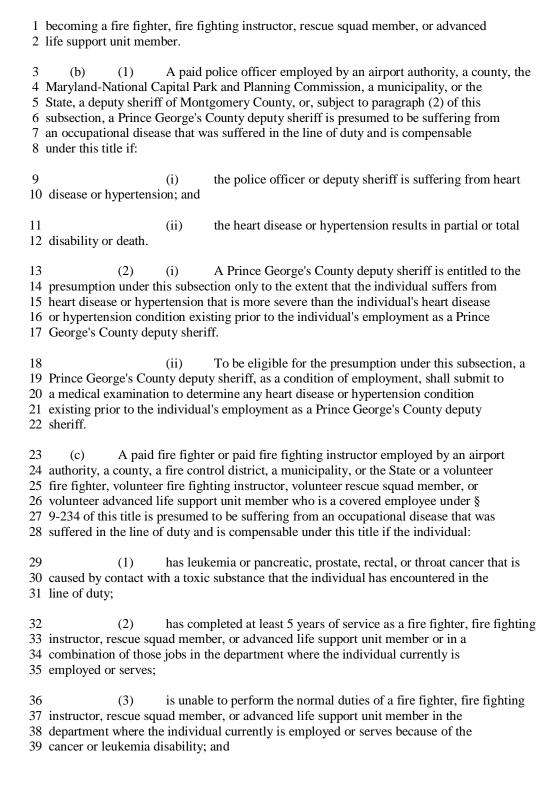
2 Workers' Compensation - Public Safety Employees

- 3 FOR the purpose of clarifying that certain workers' compensation benefits received by
- 4 certain public safety employees supplement certain retirement benefits; and
- 5 generally relating to workers' compensation and retirement benefits.
- 6 BY repealing and reenacting, with amendments,
- 7 Article Labor and Employment
- 8 Section 9-503
- 9 Annotated Code of Maryland
- 10 (1991 Volume and 1997 Supplement)
- 11 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
- 12 MARYLAND, That the Laws of Maryland read as follows:

13 Article - Labor and Employment

14 9-503.

- 15 (a) A paid fire fighter or paid fire fighting instructor employed by an airport
- 16 authority, a county, a fire control district, a municipality, or the State or a volunteer
- 17 fire fighter, volunteer fire fighting instructor, volunteer rescue squad member, or
- 18 volunteer advanced life support unit member who is a covered employee under §
- 19 9-234 of this title is presumed to have an occupational disease that was suffered in
- 20 the line of duty and is compensable under this title if:
- 21 (1) the individual has heart disease, hypertension, or lung disease;
- 22 (2) the heart disease, hypertension, or lung disease results in partial or
- 23 total disability or death; and
- 24 (3) in the case of a volunteer fire fighter, volunteer fire fighting
- 25 instructor, volunteer rescue squad member, or volunteer advanced life support unit
- 26 member, the individual has met a suitable standard of physical examination before



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- 1 (4) in the case of a volunteer fire fighter, volunteer fire fighting
- 2 instructor, volunteer rescue squad member, or volunteer advanced life support unit
- 3 member, has met a suitable standard of physical examination before becoming a fire
- 4 fighter, fire fighting instructor, rescue squad member, or advanced life support unit
- 5 member.
- 6 (d) (1) Except as provided in paragraph (2) of this subsection, any paid fire
- 7 fighter, paid fire fighting instructor, paid police officer, or any deputy sheriff of
- 8 Montgomery County or Prince George's County who is eligible for benefits under
- 9 subsection (a), (b), or (c) of this section shall receive the benefits in addition to any
- 10 benefits that the individual is entitled to receive under the retirement system in
- 11 which the individual was a participant at the time of the claim.
- 12 (2) The benefits received under this title shall be adjusted so that the
- 13 weekly total of those benefits and retirement benefits ARISING FROM AN
- 14 OCCUPATIONAL DISEASE OR MENTAL DISABILITY COVERED UNDER THIS SECTION
- 15 does not exceed the weekly salary that was paid to the fire fighter, fire fighting
- 16 instructor, police officer, or deputy sheriff.
- 17 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
- 18 October 1, 1998.