

Department of Legislative Services
Maryland General Assembly

FISCAL NOTE

House Bill 1287 (Delegate Schisler. *et al.*)

Economic Matters

Workers' Compensation - Department of Natural Resources

This bill clarifies that paid law enforcement employees of the Department of Natural Resources (DNR) are covered employees for workers' compensation purposes. A paid law enforcement employee of DNR is presumed to have an occupational disease that was suffered in the line of duty and is compensable under workers' compensation law if the employee is suffering from Lyme Disease and was not suffering from Lyme Disease before assignment to a position that regularly places the employee in an outdoor wooded environment. Any workers' compensation benefits paid under this proposal would be in addition to any disability retirement benefit, although the combined weekly benefit cannot exceed the employee's weekly wage.

Fiscal Summary

State Effect: Minimal or no impact. DNR police are currently covered by workers' compensation for occupational diseases.

Local Effect: None.

Small Business Effect: None.

Fiscal Analysis

State Expenditures: Under the proposal, paid law enforcement employees of the Department of Natural Resources who contract Lyme Disease subsequent to assignment to a position in an outdoor, wooded environment are presumed to have a compensable disease that was suffered in the line of duty.

DNR police are currently covered employees of DNR for workers' compensation purposes. The Injured Workers' Insurance Fund (IWIF), which administers the State's workers'

compensation coverage, advises that many claims under this provision would also be compensable under current law. The only change under the proposal would be the creation of a presumption that the Lyme Disease was the result of job-related activities.

For illustrative purposes, if there were two such claims per year that were not currently compensable but compensable under this provision, then the potential cost to the State would be \$42,000 annually based on the average cost per claim of \$21,000. These costs would be reflected in higher State workers' compensation expenditures.

Information Source(s): Department of Natural Resources, Injured Workers' Insurance Fund, Subsequent Injury Fund, Uninsured Employers' Fund, Workers' Compensation Commission, National Council on Compensation Insurance, Department of Legislative Services

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Analysis by: Matthew D. Riven

Reviewed by: John Rixey

Direct Inquiries to:

John Rixey, Coordinating Analyst

(410) 841-3710

(301) 858-3710