
By: **Prince George's County Delegation**
Introduced and read first time: February 11, 2000
Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Prince George's County - Correctional Officers - Workers' Compensation**
3 **PG 318-00**

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
6 County correctional officers who suffer from heart disease or hypertension
7 resulting in partial or total disability or death; requiring certain Prince George's
8 County correctional officers to submit certain medical disclosures to the Director
9 of the Prince George's County Department of Correctional Services; providing
10 that, subject to a certain limitation, workers' compensation benefits received
11 under this Act are in addition to certain retirement benefits; making a technical
12 correction; and generally relating to compensability of Prince George's County
13 correctional officers under the workers' compensation law.

14 BY repealing and reenacting, with amendments,
15 Article - Labor and Employment
16 Section 9-503(b) and (e)
17 Annotated Code of Maryland
18 (1999 Replacement Volume)

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

21 **Article - Labor and Employment**

22 9-503.

23 (b) (1) A paid police officer employed by an airport authority, a county, the
24 Maryland-National Capital Park and Planning Commission, a municipality, or the
25 State, a deputy sheriff of Montgomery County, or, subject to paragraph (2) of this
26 subsection, a Prince George's County deputy sheriff OR PRINCE GEORGE'S COUNTY
27 CORRECTIONAL OFFICER is presumed to be suffering from an occupational disease
28 that was [suffered] CONTRACTED in the line of duty and is compensable under this
29 title if:

1 (i) the police officer [or], deputy sheriff, OR CORRECTIONAL
2 OFFICER is suffering from heart disease or hypertension; and

3 (ii) the heart disease or hypertension results in partial or total
4 disability or death.

5 (2) (i) A Prince George's County deputy sheriff OR PRINCE GEORGE'S
6 COUNTY CORRECTIONAL OFFICER is entitled to the presumption under this
7 subsection only to the extent that the individual suffers from heart disease or
8 hypertension that is more severe than the individual's heart disease or hypertension
9 condition existing prior to the individual's employment as a Prince George's County
10 deputy sheriff OR PRINCE GEORGE'S COUNTY CORRECTIONAL OFFICER.

11 (ii) To be eligible for the presumption under this subsection, a
12 Prince George's County deputy sheriff OR PRINCE GEORGE'S COUNTY CORRECTIONAL
13 OFFICER, as a condition of employment, shall submit to a medical examination to
14 determine any heart disease or hypertension condition existing prior to the
15 individual's employment as a Prince George's County deputy sheriff OR PRINCE
16 GEORGE'S COUNTY CORRECTIONAL OFFICER.

17 (e) (1) Except as provided in paragraph (2) of this subsection, any paid
18 firefighter, paid fire fighting instructor, sworn member of the Office of the State Fire
19 Marshal, paid police officer, paid law enforcement employee of the Department of
20 Natural Resources, or deputy sheriff of Montgomery [County] COUNTY, or Prince
21 George's County DEPUTY SHERIFF OR PRINCE GEORGE'S COUNTY CORRECTIONAL
22 OFFICER who is eligible for benefits under subsection (a), (b), (c), or (d) of this section
23 shall receive the benefits in addition to any benefits that the individual is entitled to
24 receive under the retirement system in which the individual was a participant at the
25 time of the claim.

26 (2) The benefits received under this title shall be adjusted so that the
27 weekly total of those benefits and retirement benefits does not exceed the weekly
28 salary that was paid to the paid law enforcement employee of the Department of
29 Natural Resources, firefighter, fire fighting instructor, sworn member of the Office of
30 the State Fire Marshal, police officer, [or] deputy sheriff, OR CORRECTIONAL
31 OFFICER.

32 SECTION 2. AND BE IT FURTHER ENACTED, That, notwithstanding the
33 provisions of § 9-503(b)(2) of the Labor and Employment Article, a Prince George's
34 County correctional officer who is employed on or before September 30, 2000:

35 (1) As a condition of continued employment shall provide to the Prince
36 George's County Director of the Department of Correctional Services on or before
37 December 31, 2000, a copy of a medical report disclosing and describing any existing
38 heart disease or hypertension from which the correctional officer may be suffering;
39 and

40 (2) Is entitled to the presumption under § 9-503(b) of the Labor and
41 Employment Article only to the extent that the individual suffers from heart disease
42 or hypertension that is more severe than the individual's heart disease or

1 hypertension condition existing as of the date of the medical report provided under
2 paragraph (1) of this section.

3 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
4 October 1, 2000.