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By: **Delegates Vallario, Mitchell, and Gordon**  
Introduced and read first time: January 18, 2001  
Assigned to: Economic Matters

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A BILL ENTITLED

1 AN ACT concerning

2 **Workers' Compensation - Notice of Decision - Appeal**

3 FOR the purpose of requiring the State Workers' Compensation Commission to send a  
4 certain notice of its decision to each party or the party's attorney of record;  
5 providing that the period for filing an appeal from a decision of the Commission  
6 shall begin from the date of mailing of the notice required under this Act rather  
7 than from the date of a certain recording of a decision; providing for the  
8 application of this Act; and generally relating to a requirement of notice of a  
9 decision by the Commission and altering the time by which an appeal from a  
10 decision of the Commission may be filed in a circuit court.

11 BY repealing and reenacting, with amendments,  
12 Article - Labor and Employment  
13 Section 9-714 and 9-737  
14 Annotated Code of Maryland  
15 (1999 Replacement Volume and 2000 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 9-714.

20 (a) When the Commission receives a claim, the Commission:

21 (1) may investigate the claim; and

22 (2) on application of any party to the claim, shall order a hearing.

23 (b) (1) The Commission shall make or deny an award within 30 days:

24 (i) after the claim is filed; or

25 (ii) if a hearing is held, after the hearing is concluded.

1           (2)       The decision shall be recorded in the principal office of the  
2 Commission, AND A COPY OF THE DECISION SHALL BE SENT BY FIRST CLASS MAIL TO  
3 EACH PARTY OR THE PARTY'S ATTORNEY OF RECORD.

4 9-737.

5       An employer, covered employee, dependent of a covered employee, or any other  
6 interested person aggrieved by a decision of the Commission, including the  
7 Subsequent Injury Fund and the Uninsured Employers' Fund, may appeal from the  
8 decision of the Commission provided the appeal is filed within 30 days after the date  
9 of the MAILING OF THE Commission's order by:

10           (1)       filing a petition for judicial review in accordance with Title 7 of the  
11 Maryland Rules;

12           (2)       attaching to or including in the petition a certificate of service  
13 verifying that on the date of the filing a copy of the petition has been sent by first  
14 class mail to the Commission and to each other party of record; and

15           (3)       on the date of the filing, serving copies of the petition by first class  
16 mail on the Commission and each other party of record.

17       SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be  
18 construed only prospectively and may not be applied or interpreted to have any effect  
19 on or application to any decision of the State Workers' Compensation Commission  
20 recorded before the effective date of this Act.

21       SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect  
22 October 1, 2001.