
By: **Delegates La Vay, McClenahan, Moe, Barve, Love, and Kirk**
Introduced and read first time: January 26, 2001
Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Workers' Compensation - Evaluation of Permanent Impairment**

3 FOR the purpose of allowing an evaluation of permanent impairment under the
4 workers' compensation laws to be made by a licensed psychologist or psychiatrist
5 if the impairment involves a behavioral or mental disorder; requiring that a
6 physician evaluating a permanent impairment involving a behavioral or mental
7 disorder be qualified to do so; and requiring an evaluation of permanent
8 impairment involving a behavioral or mental disorder to be reported to the
9 Workers' Compensation Commission in accordance with regulations to be
10 adopted by the Commission.

11 BY repealing and reenacting, with amendments,
12 Article - Labor and Employment
13 Section 9-721
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 9-721.

20 (a) [A] EXCEPT AS PROVIDED UNDER SUBSECTION (C) OF THIS SECTION, A
21 physician shall evaluate a permanent impairment and report the evaluation to the
22 Commission in accordance with the regulations of the Commission.

23 (b) A medical evaluation of a permanent impairment shall include information
24 about:

25 (1) atrophy;

26 (2) pain;

27 (3) weakness; and

1 (4) loss of endurance, function, and range of motion.

2 (C) IF THE PERMANENT IMPAIRMENT INVOLVES A BEHAVIORAL OR MENTAL
3 DISORDER, A PSYCHIATRIST, OTHER QUALIFIED PHYSICIAN, OR LICENSED
4 PSYCHOLOGIST SHALL:

5 (1) PERFORM AN EVALUATION OF PERMANENT IMPAIRMENT; AND

6 (2) REPORT THE EVALUATION TO THE COMMISSION IN ACCORDANCE
7 WITH REGULATIONS ADOPTED BY THE COMMISSION.

8 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
9 October 1, 2001.