
By: **Delegate McHale**
Introduced and read first time: February 9, 2001
Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Workers' Compensation Benefits - Occupational Exposure - Cancer and**
3 **Leukemia**

4 FOR the purpose of expanding coverage under the State workers' compensation law to
5 disabilities caused by any cancer incurred by certain public safety employees as
6 a result of an occupational exposure; and altering the conditions for eligibility
7 for workers' compensation benefits for those public safety employees suffering
8 from cancer or leukemia incurred as a result of an occupational exposure.

9 BY repealing and reenacting, with amendments,
10 Article - Labor and Employment
11 Section 9-503(c)
12 Annotated Code of Maryland
13 (1999 Replacement Volume and 2000 Supplement)

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

16 **Article - Labor and Employment**

17 9-503.

18 (c) A paid firefighter, paid fire fighting instructor, or a sworn member of the
19 Office of the State Fire Marshal employed by an airport authority, a county, a fire
20 control district, a municipality, or the State or a volunteer firefighter, volunteer fire
21 fighting instructor, volunteer rescue squad member, or volunteer advanced life
22 support unit member who is a covered employee under § 9-234 of this title is
23 presumed to be suffering from an occupational disease that was suffered in the line of
24 duty and is compensable under this title if the individual:

25 (1) has leukemia or [pancreatic, prostate, rectal, or throat] cancer [that
26 is caused by contact with a toxic substance that the individual has encountered in the
27 line of duty];

1 (2) has completed at least 5 years of service as a firefighter, fire fighting
2 instructor, rescue squad member, or advanced life support unit member or in a
3 combination of those jobs [in the department] where the individual [currently is]
4 WAS employed [or serves];

5 (3) is [unable to perform the normal duties of a firefighter, fire fighting
6 instructor, rescue squad member, or advanced life support unit member in the
7 department where the individual currently is employed or serves because of the
8 cancer or leukemia disability] PERMANENTLY PARTIALLY OR PERMANENTLY
9 TOTALLY DISABLED OR DIES BECAUSE OF A DISABILITY CAUSED BY THE CANCER OR
10 LEUKEMIA; and

11 (4) in the case of a volunteer firefighter, volunteer fire fighting
12 instructor, volunteer rescue squad member, or volunteer advanced life support unit
13 member, has met a suitable standard of physical examination before becoming a
14 firefighter, fire fighting instructor, rescue squad member, or advanced life support
15 unit member.

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