

HOUSE BILL 1223

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2001 Regular Session
(11r2542)

ENROLLED BILL
-- Economic Matters/Finance --

Introduced by **Delegate McClenahan**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this
____ day of _____ at _____ o'clock, ____ M.

Speaker.

CHAPTER _____

1 AN ACT concerning

2 **Workers' Compensation Insurers and Self-Insurers - Office and Personnel**
3 **Requirements**

4 FOR the purpose of altering the office and personnel requirements for certain
5 employers that self-insure and insurers providing workers' compensation
6 insurance in the State; and requiring the Workers' Compensation Commission to
7 report on or before a certain date to certain committees of the General Assembly;
8 and generally relating to office and personnel requirements for certain employers
9 that self-insure and insurers providing workers' compensation insurance in the
10 State.

11 BY repealing and reenacting, with amendments,
12 Article - Labor and Employment
13 Section 9-405(d) and 9-410
14 Annotated Code of Maryland
15 (1999 Replacement Volume and 2000 Supplement)

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

3 **Article - Labor and Employment**

4 9-405.

5 (d) (1) ~~Each employer that self insures under this section shall have in the~~
6 ~~State [an office run by] a competent individual who handles all [of the] DISPUTED~~
7 ~~workers' compensation [work] CLAIMS in the State for the employer EACH~~
8 EMPLOYER THAT SELF-INSURES UNDER THIS SECTION SHALL HAVE IN THE STATE
9 COMPETENT INDIVIDUALS WHO:

10 (I) HANDLE AND ADJUST EACH DISPUTED WORKERS'
11 COMPENSATION CLAIM IN THE STATE FOR THE EMPLOYER; AND

12 (II) POSSESS THE KNOWLEDGE AND EXPERIENCE TO HANDLE AND
13 ADJUST EACH DISPUTED CLAIM.

14 (2) Each employer that self-insures under this section shall establish a
15 toll-free telephone number through which an employee or claimant, or a
16 representative of an employee or claimant, may make direct telephone inquiries
17 during regular business hours.

18 (3) The Commission may assess a fine not exceeding \$1,000 on a
19 self-insurer that does not comply with this subsection.

20 9-410.

21 (a) ~~An insurer that provides workers' compensation insurance in the State~~
22 ~~shall have in the State [an office run by] a competent individual who handles all [of~~
23 ~~the] DISPUTED workers' compensation [work] CLAIMS in the State for the insurer AN~~
24 INSURER THAT PROVIDES WORKERS' COMPENSATION INSURANCE IN THE STATE
25 SHALL HAVE IN THE STATE COMPETENT INDIVIDUALS WHO:

26 (1) HANDLE AND ADJUST EACH DISPUTED WORKERS' COMPENSATION
27 CLAIM IN THE STATE FOR THE INSURER; AND

28 (2) POSSESS THE KNOWLEDGE AND EXPERIENCE TO HANDLE AND
29 ADJUST EACH DISPUTED CLAIM.

30 (b) An insurer that provides workers' compensation insurance in the State,
31 shall establish a toll-free telephone number through which an insured or claimant, or
32 a representative of an insured or claimant, may make direct telephone inquiries
33 during regular business hours.

34 (c) The Commission may assess a fine not exceeding \$1,000 on an insurer that
35 does not comply with this section.

1 SECTION 2. AND BE IT FURTHER ENACTED, That, with regard to the
2 changes made in Section 1 of this Act to the office and personnel requirements for
3 employers that self-insure and insurers providing workers' compensation in the State,
4 the Workers' Compensation Commission shall report, on or before November 30, 2002,
5 to the Senate Finance Committee and the House Economic Matters Committee, in
6 accordance with § 2-1246 of the State Government Article, on:

7 (1) the number and types of complaints that the Commission has received
8 from October 1, 2001 through November 1, 2002 and the status of those complaints;

9 (2) the number and types of violations that the Commission has identified
10 from October 1, 2001 through November 1, 2002 and the status of those violations; and

11 (3) any recommendations for changes to the law.

12 SECTION ~~2~~ 3. AND BE IT FURTHER ENACTED, That this Act shall take
13 effect October 1, 2001.