

SENATE BILL 592

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2001 Regular Session
(11r2331)

ENROLLED BILL
-- Finance/Economic Matters --

Introduced by **Senator Della**

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.

President.

CHAPTER _____

1 AN ACT concerning

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

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

14 BY repealing and reenacting, with amendments,
15 Article - Labor and Employment
16 Section ~~9-404(g), 9-405(d),~~ and 9-410

1 Annotated Code of Maryland
2 (1999 Replacement Volume and 2000 Supplement)

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

5 **Article - Labor and Employment**

6 9-404.

7 ~~(g) (1) Each governmental self-insurance group shall have in the State [an~~
8 ~~office run by] a competent individual who handles all [of the] DISPUTED workers'~~
9 ~~compensation [work] CLAIMS in the State for the governmental self-insurance~~
10 ~~group.~~

11 ~~(2) Each governmental self-insurance group shall establish a toll-free~~
12 ~~telephone number through which an employee or claimant, or a representative of an~~
13 ~~employee or claimant, may make direct telephone inquiries during regular business~~
14 ~~hours.~~

15 ~~(3) The Commission may assess a fine not exceeding \$1,000 on a~~
16 ~~governmental self-insurance group that does not comply with this subsection.~~

17 9-405.

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

23 ~~(I) HANDLE AND ADJUST EACH DISPUTED WORKERS'~~
24 ~~COMPENSATION CLAIM IN THE STATE FOR THE EMPLOYER; AND~~

25 ~~(II) POSSESS THE KNOWLEDGE AND EXPERIENCE TO HANDLE AND~~
26 ~~ADJUST EACH DISPUTED CLAIM.~~

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

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

33 9-410.

34 ~~(a) An insurer that provides workers' compensation insurance in the State~~
35 ~~shall have in the State [an office run by] a competent individual who handles all [of~~
36 ~~the] DISPUTED workers' compensation [work] CLAIMS in the State for the insurer AN~~

1 INSURER THAT PROVIDES WORKERS' COMPENSATION INSURANCE IN THE STATE
2 SHALL HAVE IN THE STATE COMPETENT INDIVIDUALS WHO:

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

5 (2) POSSESS THE KNOWLEDGE AND EXPERIENCE TO HANDLE AND
6 ADJUST EACH DISPUTED CLAIM.

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

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

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

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

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

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

27 SECTION ~~2.~~ 3. AND BE IT FURTHER ENACTED, That this Act shall take
28 effect October 1, 2001. ~~It shall remain effective for a period of 2 years and, at the end~~
29 ~~of September 30, 2003, with no further action required by the General Assembly, this~~
30 ~~Act shall be abrogated and of no further force and effect.~~