

Department of Legislative Services
Maryland General Assembly
2001 Session

FISCAL NOTE
Revised

House Bill 167
Economic Matters

(Delegate Vallario, *et al.*)

Finance

Workers' Compensation - Notice of Decision - Appeal

This bill requires the Workers' Compensation Commission to send by first class mail to a party's attorney of record or, if the party is unrepresented, to the party: (1) a copy of a decision on a claim; (2) a notice denying a motion for rehearing; or (3) the order resulting from a rehearing. The bill also provides that an appeal of the commission's order must be filed within 30 days after the date the commission's order is mailed.

The bill may be construed only prospectively and may not be applied to any decision of the commission recorded before the bill's October 1, 2001 effective date.

Fiscal Summary

State Effect: The bill's mailing requirement codifies existing practice. The change to the timing requirement for an appeal would not materially affect the operations or finances of the Workers' Compensation Commission or the Judiciary.

Local Effect: None.

Small Business Effect: Minimal.

Analysis

Current Law: When the Workers' Compensation Commission receives a claim, the commission may investigate the claim and, on application of any party, must order a hearing. The commission must make or deny an award within 30 days after the claim is filed or, if a hearing is held, after the hearing is concluded. The commission's decision

must be recorded in its principal office. An appeal of a decision of the commission must be filed within 30 days of the commission's order.

An employer or insurer must begin paying compensation to the employee within 15 days after: (1) an award is made; or (2) payment of an award is due, whichever is later. Failure to pay within the required time triggers penalty provisions.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Injured Workers' Insurance Fund, Subsequent Injury Fund, Uninsured Employers' Fund, Workers' Compensation Commission, Department of Legislative Services

Fiscal Note History: First Reader – March 2, 2001
ncs/cer Revised – House Third Reader – March 28, 2001

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