

HOUSE BILL 889

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2002 Regular Session
2lr2106
CF 2lr2105

By: **Delegates McHale, Barve, Boschert, Branch, Brown, Dewberry,
Donoghue, Hammen, Hill, Hubbard, Kelly, Kirk, Klausmeier, Krysiak,
Love, Redmer, Riley, and Stull**

Introduced and read first time: February 7, 2002

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Workers' Compensation - Occupational Disease - Firefighters**

3 FOR the purpose of modifying the conditions under which a certain individual who is
4 a covered employee for purposes of the Workers' Compensation Law will be
5 presumed to be suffering from a compensable occupational disease suffered in
6 the line of duty; and generally relating to workers' compensation.

7 BY repealing and reenacting, with amendments,
8 Article - Labor and Employment
9 Section 9-503(c)
10 Annotated Code of Maryland
11 (1999 Replacement Volume and 2001 Supplement)

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

14 **Article - Labor and Employment**

15 9-503.

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

23 (1) THE INDIVIDUAL has leukemia or pancreatic, prostate, rectal, or
24 throat cancer that is caused by contact with a toxic substance that the individual has
25 encountered in the line of duty;

1 (2) [has completed at least 5 years of service as a firefighter, fire
2 fighting instructor, rescue squad member, or advanced life support unit member or in
3 a combination of those jobs in the department where the individual currently is
4 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; and] THE LEUKEMIA OR PANCREATIC, PROSTATE,
9 RECTAL, OR THROAT CANCER RESULTS IN PARTIAL OR TOTAL DISABILITY OR IN
10 DEATH; AND

11 [(4)] (3) in the case of a volunteer firefighter, volunteer fire fighting
12 instructor, volunteer rescue squad member, or volunteer advanced life support unit
13 member, THE INDIVIDUAL has met a suitable standard of physical examination before
14 becoming a firefighter, fire fighting instructor, rescue squad member, or advanced life
15 support unit member.

16 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take
17 effect July 1, 2002.