

**Department of Legislative Services**  
Maryland General Assembly  
2003 Session

**FISCAL AND POLICY NOTE**

House Bill 426 (Delegate Mitchell)  
Economic Matters

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**Workers' Compensation Commission - Setting Fees for Legal Services**

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This bill prohibits the Workers' Compensation Commission (WCC) from setting fees for legal services through regulation after the bill's October 1, 2003 effective date. Any change to fees for legal services after the bill's effective date shall be enacted by the General Assembly.

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**Fiscal Summary**

**State Effect:** This bill will not materially affect State government operations.

**Local Effect:** None.

**Small Business Effect:** Potential minimal.

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**Analysis**

**Current Law:** WCC may approve legal fees as a part of compensation awards to claimants. Fee schedules are based on fixed-ceiling fees for specified disabilities. An attorney must submit a form including the signature of the claimant to the commission requesting fees up to the scheduled rates. An attorney must petition for a fee in excess of the schedule and include the attorney's proposed justification for the higher fees.

**Small Business Effect:** Potential meaningful. Small business law firms may receive smaller or larger fees through legislation in the General Assembly.

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## **Additional Information**

**Prior Introductions:** None.

**Cross File:** None.

**Information Source(s):** Workers' Compensation Commission, Department of Legislative Services

**Fiscal Note History:** First Reader - February 21, 2003  
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