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By: **Senator Astle**

Introduced and read first time: February 3, 2005

Assigned to: Finance

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A BILL ENTITLED

1 AN ACT concerning

2 **Workers' Compensation - Evaluation of Permanent Impairments**

3 FOR the purpose of requiring physicians to medically evaluate permanent  
4 impairments using the most recent edition of the American Medical  
5 Association's Guides to the Evaluation of Permanent Impairment, as amended;  
6 and requiring the Workers' Compensation Commission to adopt regulations  
7 governing the reports of physicians' medical evaluations of permanent  
8 impairments.

9 BY repealing  
10 Article - Labor and Employment  
11 Section 9-721  
12 Annotated Code of Maryland  
13 (1999 Replacement Volume and 2004 Supplement)

14 BY adding to  
15 Article - Labor and Employment  
16 Section 9-721  
17 Annotated Code of Maryland  
18 (1999 Replacement Volume and 2004 Supplement)

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

21 **Article - Labor and Employment**

22 [9-721.

23 (a) A physician shall evaluate a permanent impairment and report the  
24 evaluation to the Commission in accordance with the regulations of the Commission.

25 (b) A medical evaluation of a permanent impairment shall include information  
26 about:

27 (1) atrophy;

- 1           (2)     pain;
- 2           (3)     weakness; and
- 3           (4)     loss of endurance, function, and range of motion.]

4 9-721.

5       (A)     A PHYSICIAN SHALL MEDICALLY EVALUATE A PERMANENT IMPAIRMENT  
6 USING THE MOST RECENT EDITION OF THE AMERICAN MEDICAL ASSOCIATION'S  
7 GUIDES TO THE EVALUATION OF PERMANENT IMPAIRMENTS, AS AMENDED.

8       (B)     THE COMMISSION SHALL ADOPT REGULATIONS THAT GOVERN THE  
9 REPORTING OF A PHYSICIAN'S MEDICAL EVALUATION OF A PERMANENT  
10 IMPAIRMENT TO THE COMMISSION.

11       SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
12 October 1, 2005.