

Department of Legislative Services
Maryland General Assembly
2005 Session

FISCAL AND POLICY NOTE

House Bill 1265
Economic Matters

(Delegate Love)

Finance

Workers' Compensation - Occupational Disease - Anne Arundel County Deputy Sheriffs

This bill adds Anne Arundel County deputy sheriffs to the occupational disease presumption provisions of the workers' compensation law for officers who suffer from heart disease or hypertension resulting in partial or total disability or death. As a condition of continued employment, by December 31, 2005, each deputy sheriff must provide a copy of a baseline medical report on any existing heart disease or hypertension. The employee will be entitled to the presumption only to the extent that he or she suffers from heart disease or hypertension that is more severe than any condition existing as of the date of the medical report.

Fiscal Summary

State Effect: The bill would not materially affect State government operations.

Local Effect: Anne Arundel County is self-insured for workers' compensation. Workers' compensation awards could increase between approximately \$100,000 and \$200,000 annually.

Small Business Effect: None.

Analysis

Current Law: Presumptions of compensable injury exist for heart disease, hypertension, and lung disease for specified public safety employees and first-responders including but not limited to paid and volunteer firefighters; paid and volunteer firefighting instructors;

paid police officers employed by an airport authority, a county, the Maryland-National Capital Park and Planning Commission, a municipality, or the State; or deputy sheriffs of Montgomery County.

Deputy sheriffs in Baltimore City and Prince George's County and correctional officers in Prince George's County have presumptions for heart disease and hypertension to the extent that the heart disease and hypertension are more severe than the individual's heart disease or hypertension before employment. To be eligible for the presumption, the employee must submit to a medical exam to determine if any heart disease or hypertension exists prior to employment.

Local Expenditures: Anne Arundel County workers' compensation claims could increase by \$100,000 to \$200,000 annually. Approximately 2% of Anne Arundel County police department personnel currently covered by the hypertension and heart disease presumption annually claim on average \$100,000 per claim. Assuming similar experience with the county's 71 deputy sheriffs, the county could experience one to two new payable claims annually for heart disease and hypertension from that population. Note, however, that claims could be higher as one death claim can cost as much as \$1,000,000 depending on the number of dependents and length of payments.

Additional Information

Prior Introductions: None.

Cross File: None.

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

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n/jr

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