
By: **Senators Exum, Della, Gladden, Kelley, Klausmeier, Pinsky, and Teitelbaum**

Introduced and read first time: January 25, 2006

Assigned to: Finance

A BILL ENTITLED

1 AN ACT concerning

2 **Workers' Compensation - Selection of Health Care Provider - Employee's**
3 **Choice**

4 FOR the purpose of clarifying that a covered employee who has suffered an accidental
5 personal injury, compensable hernia, or occupational disease may select a
6 physician or health care provider of the covered employee's choice to render
7 certain medical services and treatment; and generally relating to the employee's
8 choice to select a physician or health care provider for workers' compensation
9 medical services and treatment.

10 BY repealing and reenacting, with amendments,
11 Article - Labor and Employment
12 Section 9-660
13 Annotated Code of Maryland
14 (1999 Replacement Volume and 2005 Supplement)

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

17 **Article - Labor and Employment**

18 9-660.

19 (a) In addition to the compensation provided under this subtitle, if a covered
20 employee has suffered an accidental personal injury, compensable hernia, or
21 occupational disease the employer or its insurer promptly shall provide to the covered
22 employee, as the Commission may require:

- 23 (1) medical, surgical, or other attendance or treatment;
- 24 (2) hospital and nursing services;
- 25 (3) medicine;
- 26 (4) crutches and other apparatus; and

1 (5) artificial arms, feet, hands, and legs and other prosthetic appliances.

2 (b) The employer or its insurer shall provide the medical services and
3 treatment required under subsection (a) of this section for the period required by the
4 nature of the accidental personal injury, compensable hernia, or occupational disease.

5 (C) A COVERED EMPLOYEE WHO HAS SUFFERED AN ACCIDENTAL PERSONAL
6 INJURY, COMPENSABLE HERNIA, OR OCCUPATIONAL DISEASE MAY SELECT A
7 PHYSICIAN OR HEALTH CARE PROVIDER OF THE COVERED EMPLOYEE'S CHOICE TO
8 RENDER THE MEDICAL SERVICES AND TREATMENT.

9 [(c)] (D) Except as provided in § 9-736(b) and (c) of this title, any award or
10 order of the Commission under this section may not be construed to:

11 (1) reopen any case; or

12 (2) allow any previous award to be changed.

13 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
14 October 1, 2006.