

Department of Legislative Services
Maryland General Assembly
2006 Session

FISCAL AND POLICY NOTE

House Bill 1144
Economic Matters

(Howard County Delegation)

Finance

Workers' Compensation - Permanent Partial Disability - Howard County Deputy Sheriffs
Ho. Co. 21-06

This bill adds certain Howard County deputy sheriffs to the list of public safety employees entitled to receive increased benefits for permanent partial disabilities (PPDs) under the State's workers' compensation laws. Deputy sheriffs who are awarded PPD claims of less than 75 weeks would be compensated at the rate used for awards of 75-250 weeks for nonpublic safety claims, that is two-thirds of the average weekly wage of the employee, not to exceed one-third of the State average weekly wage.

Fiscal Summary

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

Local Effect: Howard County is self-insured for workers' compensation. Workers' compensation awards could increase by \$30,600 annually.

Small Business Effect: None.

Analysis

Bill Summary: Howard County deputy sheriffs are entitled to the enhanced benefit only when the deputy sheriff is performing law enforcement duties expressly requested, defined, and authorized in accordance with a written memorandum of understanding between the Howard County Sheriff and other law enforcement agencies.

Current Law: Public safety employees entitled to receive enhanced workers' compensation benefits for PPDs for periods of less than 75 weeks include specified volunteer and paid firefighters, paramedics, and police officers. A public safety employee entitled to the enhanced benefits is entitled to two-thirds of his or her average weekly wage, not to exceed one-third of the State average weekly wage. The average State weekly wage for 2006 is \$801.

Background: Chapter 303 of 2001 included Prince George's County deputy sheriffs and Chapter 203 of 2004 included Montgomery County deputy sheriffs in the definition of a public safety employee for purposes of PPD benefit calculations.

The Howard County Sheriff's Office has 39 sworn deputies, many of whom are not considered public safety officers because their duties are not law enforcement related. Ten deputies are currently considered law enforcement on a full-time basis, five assigned to the warrant division and five assigned to the domestic violence division.

Local Fiscal Effect: Howard County advises that the cost per claim could increase by \$7,650 per injury for deputy sheriffs that meet the bill's requirements for enhanced benefits. Injured employees in the sheriff's office receive benefits of \$144 per week during 2006 but would receive \$267 per week under the bill's provisions. The Howard County Sheriff's Office had three workers' compensation claims in fiscal 2005, four in fiscal 2004, and three in fiscal 2003. Assuming that no more than four claims would be filed in any fiscal year, workers' compensation expenditures could increase by \$30,600.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): National Council on Compensation Insurance, Howard County, Uninsured Employers' Fund, Workers' Compensation Commission, Injured Workers' Insurance Fund, Subsequent Injury Fund, Maryland Insurance Administration, Department of Legislative Services

Fiscal Note History: First Reader - March 7, 2006
ncs/hlb

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