

SENATE BILL 1

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(PRE-FILED)

11r0463

CF 11r0450

By: **Senator Middleton**

Requested: October 20, 2010

Introduced and read first time: January 13, 2011

Assigned to: Finance

A BILL ENTITLED

1 AN ACT concerning

2 **Joint Committee on Workers' Compensation Benefit and Insurance**
3 **Oversight – Membership**

4 FOR the purpose of increasing the membership of the Joint Committee on Workers'
5 Compensation Benefit and Insurance Oversight to include a certain member;
6 repealing obsolete provisions; making stylistic changes; and generally relating
7 to membership of the Joint Committee on Workers' Compensation Benefit and
8 Insurance Oversight.

9 BY repealing and reenacting, with amendments,
10 Article – State Government
11 Section 2–10A–03
12 Annotated Code of Maryland
13 (2009 Replacement Volume and 2010 Supplement)

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

16 **Article – State Government**

17 2–10A–03.

18 (a) There is a Joint Committee on Workers' Compensation Benefit and
19 Insurance Oversight.

20 (b) (1) The Committee consists of [15] **16** members.

21 (2) Of the [15] **16** members:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (i) 1. 2 shall be members of the Senate appointed by the
2 President of the Senate; AND

3 2. 2 shall be Delegates appointed by the Speaker of the
4 House of Delegates; and

5 (ii) [11] 12 shall be appointed jointly by the President and the
6 Speaker as follows:

7 1. 1 representative of the business community;

8 2. 1 representative of the Maryland labor organizations;

9 3. 1 representative of the Maryland building and
10 construction labor organizations;

11 4. 1 REPRESENTATIVE OF A SELF-INSURED LOCAL
12 GOVERNMENT ENTITY;

13 [4.] 5. 2 members of the public;

14 [5.] 6. 1 member of the insurance industry;

15 [6.] 7. 1 member of the Medical and Chirurgical
16 Faculty of Maryland;

17 [7.] 8. 1 member of a workers' compensation rating
18 organization;

19 [8.] 9. 2 members of the Bar of the Court of Appeals of
20 Maryland, 1 of whom represents plaintiffs in workers' compensation cases and 1 of
21 whom represents defendants in workers' compensation cases; and

22 [9.] 10. 1 member who is certified by the Workers'
23 Compensation Commission as a Maryland rehabilitation service provider.

24 (c) The members of the Committee serve at the pleasure of the presiding
25 officer who appointed them.

26 (d) The President and the Speaker shall jointly appoint a Senator and a
27 Delegate each to serve as cochair.

28 (e) (1) [(i)] The Committee shall examine and evaluate:

29 [1.] (I) the condition of the workers' compensation
30 benefit and insurance structure in the State; and

1 [2.] (II) the effect of Chapters 590 and 591 of the Laws
2 of Maryland of 1987 on that structure.

3 [(ii)] (2) This examination shall include the regulations
4 adopted by the Workers' Compensation Commission that are to be used by physicians
5 to measure impairment when preparing medical evaluations of claimants.

6 [(2) The Committee shall review the adequacy and appropriateness of
7 all benefits specified in §§ 9-626 and 9-627(a) and (b) of the Labor and Employment
8 Article and make recommendations for necessary changes prior to the 1992 Regular
9 Session of the General Assembly.

10 (3) The Committee shall direct the Insurance Commissioner to
11 prepare a feasibility study on alternative methods to determine the provision for claim
12 payment and to submit the study to the Governor and the Legislative Policy
13 Committee on or before January 1, 1991.]

14 (f) The Insurance Commissioner and the Workers' Compensation
15 Commission shall:

16 (1) cooperate fully with the Committee;

17 (2) keep the Committee fully informed as to the condition of workers'
18 compensation benefits and workers' compensation insurance in the State and the
19 effect of Chapters 590 and 591 of the Laws of Maryland of 1987 on those benefits and
20 that insurance; and

21 (3) submit an annual report, subject to § 2-1246 of this title, to the
22 Committee on or before October 1 of each year that incorporates the information
23 described in [paragraph] ITEM (2) of this subsection.

24 (g) The Committee shall report to the Governor and the Legislative Policy
25 Committee on December 31 of each year.

26 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
27 October 1, 2011.