

SENATE BILL 1099

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4lr3378

By: ~~Senators Manno and Miller~~, Miller, Middleton, Astle, Feldman, Glassman, Klausmeier, Mathias, Pugh, and Ramirez

Introduced and read first time: March 3, 2014

Assigned to: Rules

Re-referred to: Finance, March 7, 2014

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 22, 2014

CHAPTER _____

1 AN ACT concerning

2 **Workers' Compensation – Occupational Disease Presumptions – Paid**
3 ~~**Emergency Medical Services Providers Rescue Squad Members and Paid**~~
4 **Advanced Life Support Unit Members**

5 FOR the purpose of extending the presumption of compensability under the workers'
6 compensation law to include, under certain conditions, paid ~~emergency medical~~
7 ~~services providers~~ rescue squad members and paid advanced life support unit
8 members who suffer from heart disease, hypertension, or lung disease resulting
9 in partial or total disability or death; extending the presumption of
10 compensability under the workers' compensation law to include, under certain
11 conditions, paid ~~emergency medical services providers~~ rescue squad members
12 and paid advanced life support unit members who suffer from certain cancers
13 under certain circumstances; providing for the application of this Act; and
14 generally relating to compensability of paid ~~emergency medical services~~
15 ~~providers~~ rescue squad members and paid advanced life support unit members
16 under the workers' compensation law.

17 BY repealing and reenacting, with amendments,
18 Article – Labor and Employment
19 Section 9–503(a) and (c)
20 Annotated Code of Maryland
21 (2008 Replacement Volume and 2013 Supplement)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



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

3 **Article – Labor and Employment**

4 9–503.

5 (a) A paid firefighter, paid fire fighting instructor, ~~PAID EMERGENCY~~
6 ~~MEDICAL SERVICES PROVIDER~~ RESCUE SQUAD MEMBER, PAID ADVANCED LIFE
7 SUPPORT UNIT MEMBER, or sworn member of the Office of the State Fire Marshal
8 employed by an airport authority, a county, a fire control district, a municipality, or
9 the State or a volunteer firefighter, volunteer fire fighting instructor, volunteer rescue
10 squad member, or volunteer advanced life support unit member who is a covered
11 employee under § 9–234 of this title is presumed to have an occupational disease that
12 was suffered in the line of duty and is compensable under this title if:

13 (1) the individual has heart disease, hypertension, or lung disease;

14 (2) the heart disease, hypertension, or lung disease results in partial
15 or total disability or death; and

16 (3) in the case of a volunteer firefighter, volunteer fire fighting
17 instructor, volunteer rescue squad member, or volunteer advanced life support unit
18 member, the individual has met a suitable standard of physical examination before
19 becoming a firefighter, fire fighting instructor, rescue squad member, or advanced life
20 support unit member.

21 (c) A paid firefighter, paid fire fighting instructor, ~~PAID EMERGENCY~~
22 ~~MEDICAL SERVICES PROVIDER~~ RESCUE SQUAD MEMBER, PAID ADVANCED LIFE
23 SUPPORT UNIT MEMBER, or a sworn member of the Office of the State Fire Marshal
24 employed by an airport authority, a county, a fire control district, a municipality, or
25 the State or a volunteer firefighter, volunteer fire fighting instructor, volunteer rescue
26 squad member, or volunteer advanced life support unit member who is a covered
27 employee under § 9–234 of this title is presumed to be suffering from an occupational
28 disease that was suffered in the line of duty and is compensable under this title if the
29 individual:

30 (1) has leukemia or prostate, rectal, throat, multiple myeloma,
31 non–Hodgkin’s lymphoma, brain, testicular, or breast cancer that is caused by contact
32 with a toxic substance that the individual has encountered in the line of duty;

33 (2) has completed at least 10 years of service as a firefighter, fire
34 fighting instructor, ~~EMERGENCY MEDICAL SERVICES PROVIDER~~, rescue squad
35 member, or advanced life support unit member or in a combination of those jobs in the
36 department where the individual currently is employed or serves;

1 (3) is unable to perform the normal duties of a firefighter, fire fighting
2 instructor, ~~EMERGENCY MEDICAL SERVICES PROVIDER~~, rescue squad member, or
3 advanced life support unit member in the department where the individual currently
4 is employed or serves because of the cancer or leukemia disability; and

5 (4) in the case of a volunteer firefighter, volunteer fire fighting
6 instructor, volunteer rescue squad member, or volunteer advanced life support unit
7 member, has met a suitable standard of physical examination before becoming a
8 firefighter, fire fighting instructor, rescue squad member, or advanced life support unit
9 member.

10 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be
11 construed to apply only prospectively and may not be applied or interpreted to have
12 any effect on or application to any claim filed for an occupational disease before the
13 effective date of this Act.

14 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
15 October 1, 2014.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.