

HOUSE BILL 1293

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7lr2743
CF SB 425

By: **Delegate Valderrama**

Introduced and read first time: February 10, 2017

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Workers' Compensation – Permanent Partial Disability – Survival of Claim**

3 FOR the purpose of limiting the survivability of the right to compensation for permanent
4 partial disability payable under certain provisions of law to total compensation not
5 exceeding a certain amount; providing for the application of this Act; and generally
6 relating to the survivability of rights to compensation for permanent partial
7 disability.

8 BY repealing and reenacting, with amendments,

9 Article – Labor and Employment

10 Section 9–632

11 Annotated Code of Maryland

12 (2016 Replacement Volume)

13 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

14 That the Laws of Maryland read as follows:

Article – Labor and Employment

16 9–632.

17 (a) This section does not apply to compensation paid under Title 10, Subtitle 2 of
18 this article.

19 (b) **(1) [If] SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, IF** a
20 covered employee dies from a cause that is not compensable under this title, the right to
21 compensation that is payable under this Part IV of this subtitle and unpaid on the date of
22 death survives in accordance with this section.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(2) THE TOTAL AMOUNT OF COMPENSATION THAT SURVIVES UNDER**
2 **PARAGRAPH (1) OF THIS SUBSECTION MAY NOT EXCEED \$65,000.**

3 (c) If there are surviving dependents of the covered employee, the right to
4 compensation survives to the surviving dependents as the Commission may determine.

5 (d) If there are no surviving dependents of the covered employee and, on the date
6 of death, the covered employee had a legal obligation to support a surviving spouse, the
7 right to compensation survives jointly to:

8 (1) the surviving spouse of the covered employee; and

9 (2) the surviving minor children of the covered employee.

10 (e) If there are no surviving dependents and, on the date of death, the covered
11 employee did not have a legal obligation to support a surviving spouse, the right to
12 compensation survives only to the surviving minor children of the covered employee.

13 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be construed to
14 apply only prospectively and may not be applied or interpreted to have any effect on or
15 application to any claim arising from events occurring before the effective date of this Act.

16 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
17 October 1, 2017.