

HOUSE BILL 1476

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7lr1576
CF SB 867

By: Delegates Glenn, Anderson, Barkley, Clippinger, Frick, Hayes, McCray, Stein,
Tarlau, and Waldstreicher

Introduced and read first time: February 10, 2017

Assigned to: Economic Matters

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 14, 2017

CHAPTER _____

1 AN ACT concerning

2 **Workers' Compensation – Failure to Report ~~Accident or Action to Deter or~~**
3 **~~Dissuade From Filing a Claim – Penalties~~ Accidental Personal Injury – Penalty**

4 FOR the purpose of altering a certain violation relating to an employer failing to report an
5 accidental personal injury within a certain time required under the workers'
6 compensation law to require the violation to be a knowing violation; increasing the
7 ~~penalties~~ penalty imposed on an employer ~~who fails to report an accidental personal~~
8 ~~injury within the time required under the workers' compensation law~~ for a certain
9 violation; providing that an employer who takes an action to deter or dissuade a
10 ~~covered employee from filing a certain claim application form is guilty of a~~
11 ~~misdemeanor and on conviction is subject to certain penalties; requiring an employer~~
12 ~~to pay to a covered employee a certain amount of compensation or benefits under~~
13 ~~certain circumstances; defining a certain term; and generally relating to workers'~~
14 compensation claims.

15 BY repealing and reenacting, with amendments,
16 Article – Labor and Employment
17 Section 9–1102
18 Annotated Code of Maryland
19 (2016 Replacement Volume)

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

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.



Article – Labor and Employment

9–1102.

~~(A) IN THIS SECTION, “EMPLOYER” INCLUDES A MANAGER, AN EXECUTIVE, OR AN OFFICER OF THE EMPLOYER.~~

~~(B) (1) An employer who KNOWINGLY fails to report an accidental personal injury within the time required under § 9–707(a) of this title OR WHO TAKES AN ACTION TO DETER OR DISSUADE A COVERED EMPLOYEE FROM FILING A CLAIM APPLICATION FORM UNDER THIS TITLE is guilty of a misdemeanor and on conviction is subject to a fine not exceeding [\$50] \$500 OR IMPRISONMENT NOT EXCEEDING 6 MONTHS OR BOTH.~~

~~(2) IF THE EMPLOYER’S CONDUCT UNDER PARAGRAPH (1) OF THIS SUBSECTION CAUSES THE COVERED EMPLOYEE NOT TO RECEIVE COMPENSATION OR BENEFITS THAT THE COVERED EMPLOYEE WOULD HAVE BEEN ENTITLED TO UNDER THIS TITLE, THE EMPLOYER SHALL PAY TO THE COVERED EMPLOYEE THE AMOUNT OF THE COMPENSATION OR BENEFITS THAT THE COVERED EMPLOYEE DID NOT RECEIVE DUE TO THE EMPLOYER’S CONDUCT.~~

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2017.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.