

# HOUSE BILL 797

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CF SB 348

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By: **Delegate Valderrama**

Introduced and read first time: February 8, 2019

Assigned to: Economic Matters

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## A BILL ENTITLED

1 AN ACT concerning

2 **Workers' Compensation – Medical Benefits – Reimbursement for Medical**  
3 **Mileage**

4 FOR the purpose of requiring a covered employee who seeks reimbursement for medical  
5 mileage to submit to the employer or the employer's insurer a request for  
6 reimbursement, within a certain period of time and in a certain manner; making a  
7 stylistic change; and generally relating to the reimbursement of medical mileage  
8 under workers' compensation law.

9 BY repealing and reenacting, with amendments,  
10 Article – Labor and Employment  
11 Section 9–660  
12 Annotated Code of Maryland  
13 (2016 Replacement Volume and 2018 Supplement)

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

16 **Article – Labor and Employment**

17 9–660.

18 (a) In addition to the compensation provided under this subtitle, if a covered  
19 employee has suffered an accidental personal injury, compensable hernia, or occupational  
20 disease the employer or [its] **THE EMPLOYER'S** insurer promptly shall provide to the  
21 covered employee, as the Commission may require:

22 (1) medical, surgical, or other attendance or treatment;

23 (2) hospital and nursing services;

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (3) medicine;

2 (4) crutches and other apparatus; and

3 (5) artificial arms, feet, hands, and legs and other prosthetic appliances.

4 (b) The employer or its insurer shall provide the medical services and treatment  
5 required under subsection (a) of this section for the period required by the nature of the  
6 accidental personal injury, compensable hernia, or occupational disease.

7 (c) Except as provided in § 9-736(b) and (c) of this title, any award or order of the  
8 Commission under this section may not be construed to:

9 (1) reopen any case; or

10 (2) allow any previous award to be changed.

11 (d) (1) A provider who provides medical service or treatment to a covered  
12 employee under subsection (a) of this section shall submit to the employer or the employer's  
13 insurer a bill for providing medical service or treatment within 12 months from the later of  
14 the date:

15 (i) medical service or treatment was provided to a covered employee;

16 (ii) the claim for compensation was accepted by the employer or the  
17 employer's insurer; or

18 (iii) the claim for compensation was determined by the Commission  
19 to be compensable.

20 (2) The employer or the employer's insurer may not be required to pay a  
21 bill submitted after the time period required under paragraph (1) of this subsection unless:

22 (i) the provider files an application for payment with the  
23 Commission within 3 years from the later of the date:

24 1. medical service or treatment was provided to the covered  
25 employee;

26 2. the claim for compensation was accepted by the employer  
27 or the employer's insurer; or

28 3. the claim for compensation was determined by the  
29 Commission to be compensable; and

30 (ii) the Commission excuses the untimely submission for good cause.

1           **(E) A COVERED EMPLOYEE WHO SEEKS REIMBURSEMENT FOR MEDICAL**  
2 **MILEAGE SHALL SUBMIT TO THE EMPLOYER OR THE EMPLOYER'S INSURER A**  
3 **REQUEST FOR REIMBURSEMENT, IN THE FORM ADOPTED BY THE COMMISSION,**  
4 **WITHIN 12 MONTHS AFTER THE LATER OF THE DATE:**

5                   **(1) MEDICAL SERVICE OR TREATMENT WAS PROVIDED TO THE**  
6 **COVERED EMPLOYEE;**

7                   **(2) THE CLAIM FOR COMPENSATION WAS ACCEPTED BY THE**  
8 **EMPLOYER OR THE EMPLOYER'S INSURER; OR**

9                   **(3) THE CLAIM FOR COMPENSATION WAS DETERMINED BY THE**  
10 **COMMISSION TO BE COMPENSABLE.**

11           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
12 October 1, 2019.