

Department of Legislative Services
Maryland General Assembly
2025 Session

FISCAL AND POLICY NOTE
Third Reader

House Bill 1210
Economic Matters

(Delegate McComas, *et al.*)

Finance

**Workers' Compensation - Evaluation of Permanent Impairments - Licensed
Certified Social Worker-Clinical**

This bill authorizes a licensed certified social worker-clinical, instead of only a licensed psychologist or qualified physician, to perform the required evaluation and report that must take place for a workers' compensation claim that includes a permanent impairment involving a behavioral or mental disorder. To perform the evaluation and report, the licensed certified social worker-clinical must comply with the Workers' Compensation Commission's (WCC) requirements for expert witnesses.

Fiscal Summary

State Effect: The bill is not anticipated to materially affect State operations or finances.

Local Effect: The bill is not anticipated to materially affect local government operations or finances.

Small Business Effect: Potential meaningful.

Analysis

Current Law: If an employee covered under workers' compensation insurance has suffered an accidental personal injury, compensable hernia, or occupational disease, the employee is entitled to compensation benefits paid by the employer, its insurer, the Subsequent Injury Fund, or the Uninsured Employers' Fund, as appropriate. Workers' compensation benefits include wage replacement, medical treatment, death and funeral costs, and vocational rehabilitation expenses.

For workers' compensation claims that involved a permanent impairment that involves a behavioral or mental disorder, a licensed psychologist or qualified physician must (1) perform an evaluation of only the mental or behavioral portion of the permanent impairment and (2) report the evaluation to WCC, as specified.

Under WCC's current practices, individuals wishing to provide expert witness testimony in this manner do not have to register with WCC or pay a registration fee; only prior approval from the chair of WCC is required. Procedures and processes that apply for witnesses testifying before WCC have been adopted by the agency through [regulation](#).

Small Business Effect: Small businesses that employ licensed certified social workers-clinical staff may experience increased business through the State's workers' compensation system.

Additional Information

Recent Prior Introductions: Similar legislation has not been introduced within the last three years.

Designated Cross File: None.

Information Source(s): Workers' Compensation Commission; Maryland Department of Health; Department of Legislative Services

Fiscal Note History: First Reader - February 24, 2025
caw/smr Third Reader - March 13, 2025

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