

Chapter 300

(House Bill 347)

AN ACT concerning

Workers' Compensation – Occupational Disease Presumptions – Hypertension

FOR the purpose of establishing that certain firefighters, firefighting instructors, rescue squad members, advanced life support unit members, and members of the Office of the State Fire Marshal suffering from hypertension are presumed to have an occupational disease that is compensable under workers' compensation law and are presumed to be disabled if certain requirements are met; and generally relating to occupational disease presumptions under workers' compensation law.

BY repealing and reenacting, without amendments,

Article – Labor and Employment

Section 9–502

Annotated Code of Maryland

(2025 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Labor and Employment

Section 9–503(a)

Annotated Code of Maryland

(2025 Replacement Volume)

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

Article – Labor and Employment

9–502.

(a) In this section, “disablement” means the event of a covered employee becoming partially or totally incapacitated:

(1) because of an occupational disease; and

(2) from performing the work of the covered employee in the last occupation in which the covered employee was injuriously exposed to the hazards of the occupational disease.

(b) Subsection (c) of this section applies only to:

(1) the employer in whose employment the covered employee was last injuriously exposed to the hazards of the occupational disease; and

(2) the insurer liable for the risk when the covered employee, while employed by the employer, was last injuriously exposed to the hazards of the occupational disease.

(c) Subject to subsection (d) of this section and except as otherwise provided, an employer and insurer to whom this subsection applies shall provide compensation in accordance with this title to:

(1) a covered employee of the employer for disability of the covered employee resulting from an occupational disease; or

(2) the dependents of the covered employee for death of the covered employee resulting from an occupational disease.

(d) An employer and insurer are liable to provide compensation under subsection (c) of this section only if:

(1) the occupational disease that caused the death or disability:

(i) is due to the nature of an employment in which hazards of the occupational disease exist and the covered employee was employed before the date of disablement; or

(ii) has manifestations that are consistent with those known to result from exposure to a biological, chemical, or physical agent that is attributable to the type of employment in which the covered employee was employed before the date of disablement; and

(2) on the weight of the evidence, it reasonably may be concluded that the occupational disease was incurred as a result of the employment of the covered employee.

(e) A covered employee or a dependent of the covered employee is not entitled to compensation for a disability or death that results from an occupational disease if, when the covered employee began employment with the employer, the covered employee falsely represented in writing that the covered employee had not been disabled, laid off, or compensated in damages or otherwise, due to the occupational disease for which the covered employee or dependent is seeking compensation.

9-503.

(a) **(1)** A paid firefighter, paid firefighting instructor, paid rescue squad member, paid advanced life support unit member, or sworn member of the Office of the State Fire Marshal employed by an airport authority, a county, a fire control district, a municipality, or the State or a volunteer firefighter, volunteer fire fighting instructor, volunteer rescue squad member, or volunteer advanced life support unit member who is a

covered employee under § 9–234 of this title is presumed to have an occupational disease that was suffered in the line of duty and is compensable under this title if:

[(1)] (I) the individual has heart disease, hypertension, or lung disease;

[(2)] (II) the heart disease, hypertension, or lung disease results in partial or total disability or death; and

[(3)] (III) in the case of a volunteer firefighter, volunteer fire fighting instructor, volunteer rescue squad member, or volunteer advanced life support unit member, the individual has met a suitable standard of physical examination before becoming a firefighter, firefighting instructor, rescue squad member, or advanced life support unit member.

(2) (I) A PAID FIREFIGHTER, PAID FIREFIGHTING INSTRUCTOR, PAID RESCUE SQUAD MEMBER, PAID ADVANCED LIFE SUPPORT UNIT MEMBER, OR SWORN MEMBER OF THE OFFICE OF THE STATE FIRE MARSHAL EMPLOYED BY AN AIRPORT AUTHORITY, A COUNTY, A FIRE CONTROL DISTRICT, A MUNICIPALITY, OR THE STATE IS PRESUMED TO HAVE AN OCCUPATIONAL DISEASE THAT WAS SUFFERED IN THE LINE OF DUTY AND IS COMPENSABLE UNDER THIS TITLE AND IS PRESUMED TO BE DISABLED UNDER § 9–502 OF THIS SUBTITLE IF THE INDIVIDUAL:

1. HAS BEEN DIAGNOSED WITH HYPERTENSION BY AN AUTHORIZED PROVIDER AS DEFINED IN REGULATIONS ADOPTED BY THE COMMISSION;

2. HAS BEEN PRESCRIBED MEDICATION TO TREAT HYPERTENSION FOR AT LEAST 90 CONSECUTIVE DAYS;

3. HAS COMPLETED AT LEAST 2 YEARS OF CUMULATIVE SERVICE WITHIN THE STATE AS A PAID FIREFIGHTER, PAID FIREFIGHTING INSTRUCTOR, PAID RESCUE SQUAD MEMBER, PAID ADVANCED LIFE SUPPORT UNIT MEMBER, OR SWORN MEMBER OF THE OFFICE OF THE STATE FIRE MARSHAL EMPLOYED BY AN AIRPORT AUTHORITY, A COUNTY, A FIRE CONTROL DISTRICT, A MUNICIPALITY, OR THE STATE; AND

4. AT THE TIME OF CLAIM APPLICATION, IS EMPLOYED AS A PAID FIREFIGHTER, PAID FIREFIGHTING INSTRUCTOR, PAID RESCUE SQUAD MEMBER, PAID ADVANCED LIFE SUPPORT UNIT MEMBER, OR SWORN MEMBER OF THE OFFICE OF THE STATE FIRE MARSHAL EMPLOYED BY AN AIRPORT AUTHORITY, A COUNTY, A FIRE CONTROL DISTRICT, A MUNICIPALITY, OR THE STATE.

(II) AN EXCEPT AS OTHERWISE PROVIDED FOR UNDER A COLLECTIVE BARGAINING AGREEMENT, AN INDIVIDUAL WHO QUALIFIES FOR

COMPENSATION UNDER THIS PARAGRAPH MAY NOT BE ELIGIBLE TO RECEIVE DISABILITY RETIREMENT BENEFITS ON THE BASIS OF THE SAME CONDITION.

(III) AN INDIVIDUAL WHO HAS HEART DISEASE OR LUNG DISEASE UNDER PARAGRAPH (1) OF THIS SUBSECTION MUST FILE A SEPARATE CLAIM APPLICATION FOR WORKERS' COMPENSATION.

(IV) THIS PARAGRAPH DOES NOT PROHIBIT AN INDIVIDUAL FROM FILING A SEPARATE CLAIM UNDER PARAGRAPH (1) OF THIS SUBSECTION.

(V) AN INDIVIDUAL WHO FILES A CLAIM UNDER THIS PARAGRAPH AND UNDER PARAGRAPH (1) OF THIS SUBSECTION MAY NOT RECEIVE DUPLICATIVE BENEFITS FOR THE SAME CONDITION.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2026.

Approved by the Governor, April 28, 2026.