

SENATE BILL 90

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(PRE-FILED)

6lr0954

CF 6lr1955

By: Senator Beidle

Requested: September 24, 2025

Introduced and read first time: January 14, 2026

Assigned to: Finance

A BILL ENTITLED

1 AN ACT concerning

2 **Workers' Compensation – Occupational Disease Presumptions – Hypertension**

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

9 BY repealing and reenacting, without amendments,
10 Article – Labor and Employment
11 Section 9–502
12 Annotated Code of Maryland
13 (2025 Replacement Volume)

14 BY repealing and reenacting, with amendments,
15 Article – Labor and Employment
16 Section 9–503(a)
17 Annotated Code of Maryland
18 (2025 Replacement Volume)

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

21 **Article – Labor and Employment**

22 9–502.

23 (a) In this section, "disability" means the event of a covered employee becoming
24 partially or totally incapacitated:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



(1) because of an occupational disease; and

2 (2) from performing the work of the covered employee in the last occupation
3 in which the covered employee was injuriously exposed to the hazards of the occupational
4 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

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

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

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

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

24 (ii) has manifestations that are consistent with those known to
25 result from exposure to a biological, chemical, or physical agent that is attributable to the
26 type of employment in which the covered employee was employed before the date of
27 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.

30 (e) A covered employee or a dependent of the covered employee is not entitled to
31 compensation for a disability or death that results from an occupational disease if, when
32 the covered employee began employment with the employer, the covered employee falsely
33 represented in writing that the covered employee had not been disabled, laid off, or

1 compensated in damages or otherwise, due to the occupational disease for which the
2 covered employee or dependent is seeking compensation.

3 9-503.

4 (a) (1) A paid firefighter, paid fire fighting instructor, paid rescue squad
5 member, paid advanced life support unit member, or sworn member of the Office of the
6 State Fire Marshal employed by an airport authority, a county, a fire control district, a
7 municipality, or the State or a volunteer firefighter, volunteer fire fighting instructor,
8 volunteer rescue squad member, or volunteer advanced life support unit member who is a
9 covered employee under § 9-234 of this title is presumed to have an occupational disease
10 that was suffered in the line of duty and is compensable under this title if:

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

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

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

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

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

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

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

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

6 **(II) AN INDIVIDUAL WHO QUALIFIES FOR COMPENSATION**
7 **UNDER THIS PARAGRAPH MAY NOT BE ELIGIBLE TO RECEIVE DISABILITY**
8 **RETIREMENT BENEFITS ON THE BASIS OF THE SAME CONDITION.**

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

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

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