

SENATE BILL 90

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(PRE-FILED)

6lr0954
CF HB 347

By: ~~Senator Beidle~~ Senators Beidle, Gile, Hayes, Hershey, Jackson, Kramer, Lam, Mautz, Ready, and A. Washington

Requested: September 24, 2025

Introduced and read first time: January 14, 2026

Assigned to: Finance

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 1, 2026

CHAPTER _____

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:

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

1
2 9–502.

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

5 (1) because of an occupational disease; and

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

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

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

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

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

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

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

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

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

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

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

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

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

9 9-503.

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

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

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

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

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

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

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

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

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

12 **(II) ~~AN~~ EXCEPT AS OTHERWISE PROVIDED FOR UNDER A**
 13 **COLLECTIVE BARGAINING AGREEMENT, AN INDIVIDUAL WHO QUALIFIES FOR**
 14 **COMPENSATION UNDER THIS PARAGRAPH MAY NOT BE ELIGIBLE TO RECEIVE**
 15 **DISABILITY RETIREMENT BENEFITS ON THE BASIS OF THE SAME CONDITION.**

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

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

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

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

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.