



JAN H. GARDNER
Frederick County
Executive

HB 767

**Workers' Compensation –
Fees for Legal Services**

County Position: OPPOSE

Date: March 3, 2020
Committee: Economic Matters

Frederick County Executive Jan Gardner urges an **UNFAVORABLE REPORT** for House Bill 767 – Workers' Compensation – Fees for Legal Services.

Currently, an injured worker with a medical-only claim is not owed indemnity compensation. Therefore, in the event the injured worker has an attorney, the attorney cannot collect any fees. These claims are resolved for the most part without attorney involvement. Medical-only claims are those affected by this legislation.

County Executive Gardner opposes the provisions in the proposed legislation that:

- Grants the Worker's Compensation Commission the authority to award claimants up to \$2,000 in attorney fees to be paid by the employer/insurer/self-insurer regardless of the outcome or decision;
- Encourages an increase in filing medical treatment issues by claimant attorneys when, currently, most medical-only claims are resolved without attorney involvement;
- Results in a reduction of efficiency and timely resolution of medical-only claims with the increased number of attorney-involved claims; and
- Sets a dangerous precedent that sets the stage for future efforts to further cull attorney fees from lost-time claims, thereby increasing significantly increasing the expense to the employer/insurer/self-insurer for each lost time claim.

Frederick County Executive Gardner urges an **UNFAVORABLE REPORT** for House Bill 767.

Office of the County Executive • Winchester Hall, 12 East Church Street • Frederick, Maryland 21701
301.600.1100 • jschaefer@frederickcountymd.gov