



SENATE FINANCE COMMITTEE

Senate Bill 756

Workers' Compensation – Occupational Disease Presumptions – COVID-19

March 9, 2021

Urging an Unfavorable Report

Chair Kelley, Vice Chair Feldman, and members of the committee, thank you for the opportunity to share our thoughts regarding Senate Bill 756. The bill would create a legal presumption that “health care workers” at public higher education institutions who test positive for COVID-19 are presumed to be entitled to worker’s compensation benefits if their duties require them to be in direct contact with patients or to occupy, clean or repair areas occupied by patients. The bill does not require that the patients have tested positive for COVID-19. For example, this could include a security guard working in the lobby of a dermatology clinic and many others for whom there is no reasonable risk of contracting COVID-19 through close contact with an infected individual.

Extensive health and safety equipment and protocols have been put in place to limit employees’ potential exposure to COVID-19 and, as a result, the positivity rate on many USM campuses is lower than the rate in surrounding communities. The University of Maryland Baltimore, which includes the medical school, has conducted significant contact tracing throughout the pandemic, it has revealed very few instances of on-campus spread. Instead, community exposure appears to be responsible for almost all cases of COVID-19 among the university’s first responders.

The fiscal impact of Senate Bill 756 is indeterminate, but it would result in the USM institutions assuming significant costs due to COVID-19 cases that predominantly are not work related.

Without the foresight of a cost-determination, and the possible negative impact to the budgets of USM institutions, we respectfully urge an unfavorable report.