



**Testimony of Chesapeake Employers’ Insurance Company
 and Injured Workers’ Insurance Fund: Senate Bill 541 (Favorable with
 Amendments)**

SB 541 proposes to address infrastructure, capacity, and accessibility with the Maryland Park Service and State parks. The bill also proposes to add several occupational disease presumptions under Labor and Employment, § 9-503 for park services associates, forest rangers, park rangers, and wildlife rangers. The presumptions proposed include heart disease, hypertension, lung disease, certain types of cancers (leukemia, prostate, rectal, throat, multiple myeloma, non-Hodgkin’s lymphoma, brain, testicular, bladder, kidney, renal, or breast), and Lyme disease.

Under the current presumption law, various police officers are covered by a presumption for heart disease and hypertension; various firefighters are covered by a presumption for heart disease, hypertension, lung disease, and certain types of cancers (leukemia, prostate, rectal, throat, multiple myeloma, non-Hodgkin’s lymphoma, brain, testicular, bladder, kidney, renal, or breast), and paid law enforcement employees of the Department Natural Resources have a presumption for Lyme disease.

The chart below includes all claims in the last ten years (2012 - 2021) that fit into the above current presumptions with the incurred cost and average cost per claim for Chesapeake Employers’ Insurance and the Injured Workers’ Insurance Fund.

Year	Incurred Cost	# of Claims	Average per Claim
2021	\$6,246,861.57	76	\$82,195.55
2020	\$4,824,227.72	60	\$80,403.80
2019	\$2,576,798.84	85	\$30,315.28
2018	\$1,791,827.51	86	\$20,835.20
2017	\$7,109,476.59	86	\$82,668.33
2016	\$2,426,160.45	42	\$57,765.73
2015	\$4,334,781.12	64	\$67,730.96
2014	\$2,798,433.94	70	\$39,977.63
2013	\$1,929,333.93	53	\$36,402.53
2012	\$2,146,501.25	44	\$48,784.12
Total	\$36,184,402.92	666	\$54,330.94

The Injured Workers' Insurance Fund is not aware of the number of employees the Department Natural Resources has for park services associates, forest rangers, park rangers, and wildlife rangers currently. Additionally, this bill proposes to increase the number of employees for the Department of Natural Resources. As our figures note above, under the current presumption law, Chesapeake Employers' Insurance and the Injured Workers' Insurance Fund have incurred a total of \$36,184,402.92 over 666 claims for ten years of data: a significant cost to both the State and local governments. Finally, as with other presumptions, we can expect that other employment groups will attempt to also add additional presumptions based on this employment group additions, thereby significantly increasing the fiscal impact to state and local governments.

Clearly, the focus of Senate Bill 541 is not workers' compensation. Moreover, all employees of the Department of Natural Resources are covered employees under Maryland's Workers' Compensation Act. The sole issue, therefore, is whether certain presumptions under said Act should be offered to the listed employees. Given the complexities of the Workers' Compensation Act and the lack of science supporting these presumptions (Lyme disease excluded), Chesapeake Employers' and Injured Workers' Insurance Fund respectfully request said workers' compensation provisions be removed from Senate Bill 541.

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