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Economic Matters Committee

Subcommittees

Banking, Consumer Protection, and
Commercial Law

Unemployment Insurance



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THE MARYLAND HOUSE OF DELEGATES
ANNAPOLIS, MARYLAND 21401

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Testimony in Favor of HB1145
Workers' Compensation- Occupational Disease Presumptions- Hypertension

Chair Wilson, Vice-Chair Crosby, and members of the Economic Matters Committee

I respectfully request a favorable report on House Bill 1145. This bill will repeal the requirement that certain firefighters, and other specified related fields, experience partial or total disability or death for hypertension to be presumed to be an occupational disease that was suffered in the line of duty and is compensable under workers' compensation law.

Currently, hypertension is recognized in statute as an occupational disease presumption under 9-503 of the labor and employment article. This would amend that section to remove the requirement for disablement. Currently, under prevailing case law, disablement is generally considered 3 or more lost days from work.

The Workers Compensation Commission has been denying hypertension claims under two scenarios:

- 1) The employee is placed on medication after visiting a physician and is returned to work; or
- 2) The employee is placed on medication and misses more than 3 days of work as directed by a physician and claims are still being denied.

Under either of the above scenarios the Workers Compensation Commission is essentially nullifying the clear intent of the general assembly that hypertension is a presumptive occupational condition under 9-503.

For these reasons, I respectfully request a favorable report on HB 1145.

Mike Rogers

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Maryland Delegate, 32nd District