



**Testimony of Chesapeake Employers' Insurance Company
and Injured Workers' Insurance Fund in Opposition to House Bill 1050**

House Bill 1050 seeks to extend the time to re-open a workers' compensation claim/award by sixty (60) days, moving the time period from five (5) years to five (5) years and sixty (60) days. For the following reasons, Chesapeake Employers' Insurance Company and the Injured Workers' Insurance Fund respectfully oppose House Bill 1050.

At present, Maryland has one of the broadest re-opening statutes in the country, generally allowing an injured worker to "re-open" his or her claim for indemnity benefits within five (5) years of the last compensation payment received by the injured worker. Many other states' time periods are for shorter, making Maryland's re-opening statute one of the most liberal of all state systems.

Additionally, House Bill 1050, as written, addresses no pending issue or concern presently affecting the workers' compensation system; it simply adds sixty (60) days to the current limitation period. If the intent of House Bill 1050 is to allow a sixty (60) day window to re-open one's claim after the completion of the appeal process, the present bill language does not provide that relief.

Lastly, the protection of an injured worker's re-opening rights during the pendency of an appeal is clearly ingrained in Maryland's system as an injured worker can simply file an issue form with the Workers' Compensation Commission thereby tolling the five (5) year period currently allotted thereby protecting one's right to re-open after the finalization of an appeal.

It should be noted that House Bill 1050 and the issue it seeks to address has no bearing on an individual's right to receive medical treatment as there is no limitation period affecting an injured workers' right to seek medical treatment following a compensable injury or disease.

For the foregoing reasons, therefore, Chesapeake Employers' Insurance and Injured Workers' Insurance Fund respectfully request an unfavorable report on House Bill 1050.

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