



Maryland Municipal League  
*The Association of Maryland's Cities and Towns*

## TESTIMONY

March 5, 2024

**Committee:** Senate Finance

**Bill:** SB 431 – Workers' Compensation - Occupational Disease Presumption - Long COVID (Home of the Brave Act of 2024)

**Position:** Unfavorable

**Reason for Position:**

The Maryland Municipal League opposes Senate Bill 431, which creates a presumption for essential government workers that a long COVID diagnosis qualifies as a compensable workers' compensation claim.

This measure would expose local governments to a new type of claim with a variety of viability, requiring local governments to spend significant time and resources on their defense. Several variants of COVID-19 were highly contagious, resulting in literally hundreds of thousands of infections. The likelihood that an essential local government employee contracted COVID-19 is high because the likelihood that most Maryland citizens contracted COVID-19 is high. An influx of claims, whether meritorious or not, are inevitable.

Additionally, supporting evidence that actual workplace exposure caused the illness is not required, further lowering the bar for plaintiff employees. Instead, the bill creates a rebuttable presumption requiring an employer to provide “substantial” evidence that the employee contracted COVID-19 outside of the workplace. Employers cannot be expected to have access to this information, so the proposed presumption will be nearly impossible to rebut.

Opening the door to significant difficult-to-prove but difficult-to-rebut litigation will be unfairly and overly burdensome for local governments. For these reasons, the League respectfully requests an unfavorable report on Senate Bill 431.

**FOR MORE INFORMATION CONTACT:**

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