

LEGISLATIVE POSITION:

Unfavorable

Senate Bill 919

Workers' Compensation - Modification of Award - Extension

Senate Finance Committee

Tuesday, March 5, 2024

Dear Chairwoman Beidle and Members of the Committee:

Founded in 1968, the Maryland Chamber of Commerce is the leading voice for business in Maryland. We are a statewide coalition of more than 6,800 members and federated partners working to develop and promote strong public policy that ensures sustained economic health and growth for Maryland businesses, employees, and families.

Senate Bill 919 intends to extend, for 60 days, the period of time during which the Workers' Compensation Commission may modify an award related to a workers' compensation claim if an appeal is filed during the original 5-year period and apply the Act prospectively.

Maryland already has one of the longest reopening statutes for workers' compensation claims in the country. By extending the statute of limitations further, employers stand to bear even greater claims costs and the uncertainty of increased claim exposure. Greater claim costs and increased exposure to claims will lead to higher premiums for employers' workers' compensation insurance. Additionally, SB 919 stands to only impact indemnity benefits, not medical benefits.

The proposed change in SB 919 addresses a seemingly rare set of circumstances that could create more harm than good. Further, the change is likely unnecessary because the injured worker is already not required to wait until an appeal is concluded to file additional issues with the Workers' Compensation Commission (WCC). Just because the WCC may not have jurisdiction over an issue while an appeal is pending does not preclude the filing of the issue with the Commission.

Finally, the possible need to postpone a WCC hearing on an issue multiple times with a pending appeal is no longer burdensome on the parties or the Commission with the WCC's fully paperless system. This system allows for postponement requests to be processed in moments with an almost immediate turnaround.

For these reasons, the Maryland Chamber of Commerce respectfully requests an **unfavorable report** on **SB 919**.