



THE MARYLAND HOUSE OF DELEGATES  
ANNAPOLIS, MARYLAND 21401

**Testimony in Support of HB366**  
Testimony by Delegate Andrew Pruski  
March 11, 2026 - Economic Matters

**What the Bill Does:**

HB366 Workers' Compensation – Exemption From Exclusivity of Remedy – Action for Wrongful Death by Nondependent Child is to remove the Maryland Workers' Compensation Act from being construed to prohibit an adult child of a covered employee who is determined not to be a dependent of the covered employee from filing an action for damages related to the wrongful death of the covered employee; and generally relating to exemptions from the exclusivity of remedy under workers' compensation law.

**Why the Bill is Important**

HB366 closes a legal gap that many feel is unfair to families. Under the current rules, if a worker died and their children were adults supporting themselves, those children often had very limited legal options to hold an employer accountable for safety failures. By allowing these nondependent children to seek justice for the loss of a parent, the law can aim to ensure that employers are held more responsible for workplace safety, regardless of the age or financial status of the worker's children. This bill acts as a clarification that exclusivity of the workers' compensation laws of Maryland (see Md. Code Ann., Labor and Employment, § 9-509) is meant to be superseded by Labor and Employment § 9-684 and Md. Code Ann., Court & Judicial Proceedings, § 3-904 to allow an adult child to hold negligent actors accountable for workplace deaths when those family members have no other way to be compensated for the loss of their parent. This bill clarifies this intent and makes clear that this only applies to the situation, as in Jenway, where a workplace death has occurred and there are no dependents to make the claim on behalf of the deceased.

**I request a favorable report on HB366.**