

SENATE BILL 90

Proposed Amendments – Maryland Defense Counsel

Article – Labor and Employment

9-503

(2) (I) A PAID FIREFIGHTER, PAID FIRE FIGHTING INSTRUCTOR, PAID RESCUE SQUAD MEMBER, PAID ADVANCED LIFE SUPPORT UNIT MEMBER, OR SWORN MEMBER OF THE OFFICE OF THE STATE FIRE MARSHAL EMPLOYED BY AN AIRPORT AUTHORITY, A COUNTY, A FIRE CONTROL DISTRICT, A MUNICIPALITY, OR THE STATE IS PRESUMED TO HAVE AN OCCUPATIONAL DISEASE THAT WAS SUFFERED IN THE LINE OF DUTY AND IS COMPENSABLE UNDER THIS TITLE AND IS PRESUMED TO BE DISABLED UNDER § 9-502 OF THIS SUBTITLE IF THE INDIVIDUAL:

1. HAS BEEN DIAGNOSED WITH HYPERTENSION BY AN AUTHORIZED PROVIDER AS DEFINED IN REGULATIONS ADOPTED BY THE COMMISSION;

2. HAS BEEN PRESCRIBED MEDICATION TO TREAT HYPERTENSION FOR AT LEAST 90 CONSECUTIVE DAYS;

3. HAS COMPLETED AT LEAST 2 YEARS OF CUMULATIVE SERVICE WITHIN THE STATE AS A PAID FIREFIGHTER, PAID FIRE FIGHTING INSTRUCTOR, PAID RESCUE SQUAD MEMBER, PAID ADVANCED LIFE SUPPORT UNIT MEMBER, OR SWORN MEMBER OF THE OFFICE OF THE STATE FIRE MARSHAL EMPLOYED BY AN AIRPORT AUTHORITY, A COUNTY, A FIRE CONTROL DISTRICT, A MUNICIPALITY, OR THE STATE; ~~AND~~

4. **HAS FILED A CLAIM APPLICATION WITHIN 2 YEARS OF THE 90TH CONSECUTIVE DAY OF BEING PRESCRIBED MEDICATION AND TAKING MEDICATION FOR THE TREATMENT OF HYPERTENSION; AND**

5. AT THE TIME OF CLAIM APPLICATION, IS EMPLOYED AS A PAID FIREFIGHTER, PAID FIRE FIGHTING INSTRUCTOR, PAID RESCUE SQUAD MEMBER, PAID ADVANCED LIFE SUPPORT UNIT MEMBER, OR SWORN MEMBER OF THE OFFICE OF THE STATE FIRE MARSHAL EMPLOYED BY AN AIRPORT AUTHORITY, A COUNTY, A FIRE CONTROL DISTRICT, A MUNICIPALITY, OR THE STATE.

(II) AN INDIVIDUAL WHO QUALIFIES FOR COMPENSATION UNDER THIS PARAGRAPH MAY NOT BE ELIGIBLE TO RECEIVE DISABILITY RETIREMENT BENEFITS ON THE BASIS OF THE SAME CONDITION.

(III) AN INDIVIDUAL WHO HAS HEART DISEASE OR LUNG DISEASE UNDER PARAGRAPH (1) OF THIS SUBSECTION MUST FILE A SEPARATE CLAIM APPLICATION FOR WORKERS' COMPENSATION.

(IV) THIS PARAGRAPH DOES NOT PROHIBIT AN INDIVIDUAL FROM FILING A SEPARATE CLAIM UNDER PARAGRAPH (1) OF THIS SUBSECTION **SO LONG AS THE INDIVIDUAL DOES NOT RECEIVE DUPLICATIVE BENEFITS FOR THE OCCUPATIONAL DISEASE.**

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2026.