

# SENATE BILL 1

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(PRE-FILED)

11r0463  
CF HB 40

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By: ~~Senator Middleton~~ Senators Middleton, Astle, Garagiola, Glassman,  
Kelley, Kittleman, Klausmeier, Mathias, Muse, and Pugh

Requested: October 20, 2010

Introduced and read first time: January 13, 2011

Assigned to: Finance

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Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 9, 2011

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Joint Committee on Workers' Compensation Benefit and Insurance**  
3 **Oversight – Membership**

4 FOR the purpose of increasing the membership of the Joint Committee on Workers'  
5 Compensation Benefit and Insurance Oversight to include a certain member;  
6 repealing obsolete provisions; making stylistic changes; and generally relating  
7 to membership of the Joint Committee on Workers' Compensation Benefit and  
8 Insurance Oversight.

9 BY repealing and reenacting, with amendments,  
10 Article – State Government  
11 Section 2–10A–03  
12 Annotated Code of Maryland  
13 (2009 Replacement Volume and 2010 Supplement)

14 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
15 MARYLAND, That the Laws of Maryland read as follows:

16 **Article – State Government**

17 2–10A–03.

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike-out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 (a) There is a Joint Committee on Workers' Compensation Benefit and  
2 Insurance Oversight.

3 (b) (1) The Committee consists of [15] **16** members.

4 (2) Of the [15] **16** members:

5 (i) 1. 2 shall be members of the Senate appointed by the  
6 President of the Senate; **AND**

7 2. 2 shall be Delegates appointed by the Speaker of the  
8 House of Delegates; and

9 (ii) [11] **12** shall be appointed jointly by the President and the  
10 Speaker as follows:

11 1. 1 representative of the business community;

12 2. 1 representative of the Maryland labor organizations;

13 3. 1 representative of the Maryland building and  
14 construction labor organizations;

15 4. **1 REPRESENTATIVE OF A SELF-INSURED LOCAL**  
16 **GOVERNMENT ENTITY;**

17 [4.] 5. 2 members of the public;

18 [5.] 6. 1 member of the insurance industry;

19 [6.] 7. 1 member of the Medical and Chirurgical  
20 Faculty of Maryland;

21 [7.] 8. 1 member of a workers' compensation rating  
22 organization;

23 [8.] 9. 2 members of the Bar of the Court of Appeals of  
24 Maryland, 1 of whom represents plaintiffs in workers' compensation cases and 1 of  
25 whom represents defendants in workers' compensation cases; and

26 [9.] 10. 1 member who is certified by the Workers'  
27 Compensation Commission as a Maryland rehabilitation service provider.

28 (c) The members of the Committee serve at the pleasure of the presiding  
29 officer who appointed them.

1 (d) The President and the Speaker shall jointly appoint a Senator and a  
2 Delegate each to serve as cochair.

3 (e) (1) **[(i)]** The Committee shall examine and evaluate:

4 **[1.] (I)** the condition of the workers' compensation  
5 benefit and insurance structure in the State; and

6 **[2.] (II)** the effect of Chapters 590 and 591 of the Laws  
7 of Maryland of 1987 on that structure.

8 **[(ii)] (2)** This examination shall include the regulations  
9 adopted by the Workers' Compensation Commission that are to be used by physicians  
10 to measure impairment when preparing medical evaluations of claimants.

11 **[(2)** The Committee shall review the adequacy and appropriateness of  
12 all benefits specified in §§ 9–626 and 9–627(a) and (b) of the Labor and Employment  
13 Article and make recommendations for necessary changes prior to the 1992 Regular  
14 Session of the General Assembly.

15 (3) The Committee shall direct the Insurance Commissioner to  
16 prepare a feasibility study on alternative methods to determine the provision for claim  
17 payment and to submit the study to the Governor and the Legislative Policy  
18 Committee on or before January 1, 1991.]

19 (f) The Insurance Commissioner and the Workers' Compensation  
20 Commission shall:

21 (1) cooperate fully with the Committee;

22 (2) keep the Committee fully informed as to the condition of workers'  
23 compensation benefits and workers' compensation insurance in the State and the  
24 effect of Chapters 590 and 591 of the Laws of Maryland of 1987 on those benefits and  
25 that insurance; and

26 (3) submit an annual report, subject to § 2–1246 of this title, to the  
27 Committee on or before October 1 of each year that incorporates the information  
28 described in **[paragraph] ITEM (2)** of this subsection.

29 (g) The Committee shall report to the Governor and the Legislative Policy  
30 Committee on December 31 of each year.

31 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
32 October 1, 2011.