

SENATE BILL 867

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7lr3473
CF 7lr1576

By: **Senators Klausmeier, Benson, Middleton, and Robinson**

Introduced and read first time: February 3, 2017

Assigned to: Finance

A BILL ENTITLED

1 AN ACT concerning

2 **Workers' Compensation – Failure to Report Accident or Action to Deter or**
3 **Dissuade From Filing a Claim – Penalties**

4 FOR the purpose of altering the penalties imposed on an employer who fails to report an
5 accidental personal injury within the time required under the workers' compensation
6 law; providing that an employer who takes an action to deter or dissuade a covered
7 employee from filing a certain claim application form is guilty of a misdemeanor and
8 on conviction is subject to certain penalties; requiring an employer to pay to a covered
9 employee a certain amount of compensation or benefits under certain circumstances;
10 defining a certain term; and generally relating to workers' compensation claims.

11 BY repealing and reenacting, with amendments,
12 Article – Labor and Employment
13 Section 9–1102
14 Annotated Code of Maryland
15 (2016 Replacement Volume)

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

18 **Article – Labor and Employment**

19 9–1102.

20 **(A) IN THIS SECTION, “EMPLOYER” INCLUDES A MANAGER, AN EXECUTIVE,**
21 **OR AN OFFICER OF THE EMPLOYER.**

22 **(B) (1)** An employer who fails to report an accidental personal injury within
23 the time required under § 9–707(a) of this title **OR WHO TAKES AN ACTION TO DETER OR**
24 **DISSUADE A COVERED EMPLOYEE FROM FILING A CLAIM APPLICATION FORM UNDER**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **THIS TITLE** is guilty of a misdemeanor and on conviction is subject to a fine not exceeding
2 **[\$50] \$500 OR IMPRISONMENT NOT EXCEEDING 6 MONTHS OR BOTH.**

3 **(2) IF THE EMPLOYER'S CONDUCT UNDER PARAGRAPH (1) OF THIS**
4 **SUBSECTION CAUSES THE COVERED EMPLOYEE NOT TO RECEIVE COMPENSATION**
5 **OR BENEFITS THAT THE COVERED EMPLOYEE WOULD HAVE BEEN ENTITLED TO**
6 **UNDER THIS TITLE, THE EMPLOYER SHALL PAY TO THE COVERED EMPLOYEE THE**
7 **AMOUNT OF THE COMPENSATION OR BENEFITS THAT THE COVERED EMPLOYEE DID**
8 **NOT RECEIVE DUE TO THE EMPLOYER'S CONDUCT.**

9 **SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect**
10 **October 1, 2017.**