

SENATE BILL 830

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5lr3248

By: **Senator Hayes**

Introduced and read first time: January 28, 2025

Assigned to: Finance

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: February 21, 2025

CHAPTER _____

1 AN ACT concerning

2 **Workers' Compensation – Claims Application Form – Authorization for Release**
3 **of Information**

4 FOR the purpose of altering the entities to which and the information of which a claimant
5 is required to authorize the release in a claim application filed with the Workers'
6 Compensation Commission; and generally relating to the authorization for the
7 release of information related to workers' compensation claims.

8 BY repealing and reenacting, with amendments,
9 Article – Labor and Employment
10 Section 9–709(a), 9–710(b), and 9–711(a)
11 Annotated Code of Maryland
12 (2016 Replacement Volume and 2024 Supplement)

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

15 **Article – Labor and Employment**

16 9–709.

17 (a) (1) Except as provided in subsection (c) of this section and § 9–504 of this
18 title, if a covered employee suffers an accidental personal injury, the covered employee,
19 within 60 days after the date of the accidental personal injury, shall file with the
20 Commission:

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.



(i) a claim application form; and

(ii) if the covered employee was attended by a physician chosen by the covered employee, the report of the physician.

(2) (i) A claim application form filed under paragraph (1) of this subsection shall include an authorization by the claimant for the release, to the claimant's attorney, **THE UNINSURED EMPLOYERS' FUND, THE SUBSEQUENT INJURY FUND**, the claimant's employer, and the insurer of the claimant's employer, or an agent of the claimant's attorney, **THE UNINSURED EMPLOYERS' FUND, THE SUBSEQUENT INJURY FUND**, the claimant's employer, or the insurer of the claimant's employer, of medical AND FINANCIAL information that [is] MAY BE relevant to:

1. the member of the body that was injured, as indicated on the claim application form; and

2. the description of how the accidental personal injury occurred, as indicated on the claim application form.

(ii) An authorization under subparagraph (i) of this paragraph:

1. includes the release of information relating to the history, findings, office and patient charts, files, examination and progress notes, [and] physical evidence, AND ADDITIONAL CLAIMS FILED BY THE CLAIMANT;

2. INCLUDES THE RELEASE OF INFORMATION IN THE CUSTODY OF THE COMMISSION;

[2.] 3. is effective for 1 year from the date the claim is filed; and

[3.] 4. does not restrict the redisclosure of medical information or written material relating to the authorization to a medical manager, health care professional, or certified rehabilitation practitioner.

9-710.

(b) (1) If a covered employee dies from an accidental personal injury, the dependents of the covered employee or an individual on their behalf shall, within 18 months after the date of death, file with the Commission:

(i) a claim application form;

(ii) proof of death;

(iii) certificates of any physician who attended the covered employee;
and

(iv) any other proof that the Commission may require by regulation.

(2) (i) A claim application form filed under paragraph (1) of this subsection shall include an authorization by the claimant for the release, to the claimant's attorney, **THE UNINSURED EMPLOYERS' FUND, THE SUBSEQUENT INJURY FUND,** the covered employee's employer, and the insurer of the covered employee's employer, or an agent of the claimant's attorney, **THE UNINSURED EMPLOYERS' FUND, THE SUBSEQUENT INJURY FUND,** the covered employee's employer, or the insurer of the covered employee's employer, of medical AND FINANCIAL information that [is] **MAY BE** relevant to:

1. the member of the body that was injured, as indicated on the claim application form; and

2. the description of how the accidental personal injury occurred, as indicated on the claim application form.

(ii) An authorization under subparagraph (i) of this paragraph:

1. includes the release of information relating to the history, findings, office and patient charts, files, examination and progress notes, [and] physical evidence, **AND ADDITIONAL CLAIMS FILED BY THE CLAIMANT;**

2. **INCLUDES THE RELEASE OF INFORMATION IN THE CUSTODY OF THE COMMISSION;**

[2.] 3. is effective for 1 year from the date the claim is filed; and

[3.] 4. does not restrict the redisclosure of medical information or written material relating to the authorization to a medical manager, health care professional, or certified rehabilitation practitioner.

9-711.

(a) (1) If a covered employee suffers a disablement or death as a result of an occupational disease, the covered employee or the dependents of the covered employee shall file a claim application form with the Commission within 2 years, or in the case of pulmonary dust disease within 3 years, after the date:

(i) of disablement or death; or

(ii) when the covered employee or the dependents of the covered employee first had actual knowledge that the disablement was caused by the employment.

(2) (i) A claim application form filed under paragraph (1) of this subsection shall include an authorization by the claimant for the release, to the claimant's attorney, **THE UNINSURED EMPLOYERS' FUND, THE SUBSEQUENT INJURY FUND**, the claimant's or covered employee's employer, and the insurer of the claimant's or covered employee's employer, or an agent of the claimant's attorney, **THE UNINSURED EMPLOYERS' FUND, THE SUBSEQUENT INJURY FUND**, the claimant's or covered employee's employer, or the insurer of the claimant's or covered employee's employer, of medical AND FINANCIAL information that [is] **MAY BE** relevant to:

1. the member of the body that was injured, as indicated on the claim application form; and

2. the description of how the occupational disease occurred, as indicated on the claim application form.

(ii) An authorization under subparagraph (i) of this paragraph:

1. includes the release of information relating to the history, findings, office and patient charts, files, examination and progress notes, [and] physical evidence, **AND ADDITIONAL CLAIMS FILED BY THE CLAIMANT**;

2. **INCLUDES THE RELEASE OF INFORMATION IN THE CUSTODY OF THE COMMISSION;**

[2.] 3. is effective for 1 year from the date the claim is filed; and

[3.] 4. does not restrict the redisclosure of medical information or written material relating to the authorization to a medical manager, health care professional, or certified rehabilitation practitioner.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2025.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.