

# HOUSE BILL 1092

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CF SB 118

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By: **Delegates Barkley, Metzgar, Platt, and Waldstreicher**

Introduced and read first time: February 13, 2015

Assigned to: Economic Matters

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## A BILL ENTITLED

1 AN ACT concerning

2 **Workers' Compensation Commission – Regulation of Fees and Charges**

3 FOR the purpose of authorizing the Workers' Compensation Commission to adopt  
4 regulations about payment for the examination of a covered employee and the  
5 preparation of a report by a medical expert engaged by a party; authorizing the  
6 Commission to regulate fees and other charges for examinations and the preparation  
7 of reports by medical experts under certain provisions of law; prohibiting certain fees  
8 and charges from varying based on the party responsible for paying the fee or charge;  
9 and generally relating to the regulation of fees and charges by the Workers'  
10 Compensation Commission.

11 BY repealing and reenacting, with amendments,  
12 Article – Labor and Employment  
13 Section 9–663  
14 Annotated Code of Maryland  
15 (2008 Replacement Volume and 2014 Supplement)

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 9–663.

20 (a) (1) The Commission shall adopt regulations setting standards for the  
21 assessment of fines under § 9–664 of this Part IX of this subtitle.

22 (2) The Commission may adopt regulations about:

23 (i) the provision of medicine and medical, nursing, and hospital  
24 services to a covered employee;

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (ii) payment for the medicine and services; [and]

2 (III) PAYMENT FOR THE EXAMINATION OF A COVERED  
3 EMPLOYEE AND THE PREPARATION OF A REPORT BY A MEDICAL EXPERT ENGAGED  
4 BY A PARTY; AND

5 [(iii)] (IV) the exercise by the Chairman of the Commission of the  
6 powers granted under § 9-662 of this subtitle.

7 (b) (1) [The] SUBJECT TO PARAGRAPH (3) OF THIS SUBSECTION, THE  
8 Commission may regulate fees and other charges for medical services or treatment AND  
9 EXAMINATIONS AND THE PREPARATION OF REPORTS BY MEDICAL EXPERTS under  
10 this subtitle.

11 (2) Each fee or other charge for medical service or treatment under this  
12 subtitle is limited to the amount that prevails in the same community for similar treatment  
13 of an injured individual with a standard of living that is comparable to that of the covered  
14 employee.

15 (3) EACH FEE OR OTHER CHARGE FOR A MEDICAL SERVICE OR  
16 TREATMENT OR THE EXAMINATION AND PREPARATION OF A REPORT BY A MEDICAL  
17 EXPERT UNDER THIS SUBTITLE MAY NOT VARY BASED ON THE PARTY RESPONSIBLE  
18 FOR THE PAYMENT OF THE FEE OR CHARGE.

19 [(3)] (4) At least once every 2 years, the Commission shall:

20 (i) review its guide of medical and surgical fees for completeness and  
21 reasonableness; and

22 (ii) make appropriate revisions to the guide of medical and surgical  
23 fees.

24 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
25 October 1, 2015.