

# SENATE BILL 194

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SB 258/16 – FIN

7lr2047  
CF HB 1484

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By: ~~Senator Klausmeier~~ Senators Klausmeier, Middleton, Astle, Benson, Feldman,  
Hershey, Mathias, Oaks, Reilly, and Rosapepe

Introduced and read first time: January 18, 2017

Assigned to: Finance

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Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 3, 2017

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

1 AN ACT concerning

2 **Workers' Compensation – Medical Benefits – Payment of Medical Services and**  
3 **Treatment**

4 FOR the purpose of requiring a provider to submit to an employer or an employer's insurer,  
5 within a certain period of time, a certain bill ~~and documentation~~ for certain medical  
6 services or treatment provided to a covered employee under a certain provision of  
7 law; prohibiting the employer or the employer's insurer from being required to pay a  
8 certain bill except under certain circumstances; and generally relating to the  
9 payment for medical services and treatment provided under the workers'  
10 compensation law.

11 BY repealing and reenacting, with amendments,  
12 Article – Labor and Employment  
13 Section 9–660  
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 9–660.

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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) In addition to the compensation provided under this subtitle, if a covered  
 2 employee has suffered an accidental personal injury, compensable hernia, or occupational  
 3 disease the employer or its insurer promptly shall provide to the covered employee, as the  
 4 Commission may require:

5 (1) medical, surgical, or other attendance or treatment;

6 (2) hospital and nursing services;

7 (3) medicine;

8 (4) crutches and other apparatus; and

9 (5) artificial arms, feet, hands, and legs and other prosthetic appliances.

10 (b) The employer or its insurer shall provide the medical services and treatment  
 11 required under subsection (a) of this section for the period required by the nature of the  
 12 accidental personal injury, compensable hernia, or occupational disease.

13 (c) Except as provided in § 9-736(b) and (c) of this title, any award or order of the  
 14 Commission under this section may not be construed to:

15 (1) reopen any case; or

16 (2) allow any previous award to be changed.

17 ~~(D) (1) WITHIN 45 DAYS AFTER THE DATE MEDICAL SERVICE OR~~  
 18 ~~TREATMENT IS PROVIDED TO A COVERED EMPLOYEE UNDER SUBSECTION (A) OF~~  
 19 ~~THIS SECTION, A PROVIDER SHALL SUBMIT TO THE EMPLOYER OR THE EMPLOYER'S~~  
 20 ~~INSURER A BILL FOR AND DOCUMENTATION SUMMARIZING THE SERVICES OR~~  
 21 ~~TREATMENT PROVIDED.~~

22 (D) (1) A PROVIDER WHO PROVIDES MEDICAL SERVICE OR TREATMENT  
 23 TO A COVERED EMPLOYEE UNDER SUBSECTION (A) OF THIS SECTION SHALL SUBMIT  
 24 TO THE EMPLOYER OR THE EMPLOYER'S INSURER A BILL FOR PROVIDING MEDICAL  
 25 SERVICE OR TREATMENT WITHIN 12 MONTHS FROM THE LATER OF THE DATE:

26 (I) MEDICAL SERVICE OR TREATMENT WAS PROVIDED TO A  
 27 COVERED EMPLOYEE;

28 (II) THE CLAIM FOR COMPENSATION WAS ACCEPTED BY THE  
 29 EMPLOYER OR THE EMPLOYER'S INSURER; OR

30 (III) THE CLAIM FOR COMPENSATION WAS DETERMINED BY THE  
 31 COMMISSION TO BE COMPENSABLE.

1           **(2) THE EMPLOYER OR THE EMPLOYER’S INSURER MAY NOT BE**  
2 **REQUIRED TO PAY A BILL SUBMITTED AFTER ~~THE 45-DAY~~ THE TIME PERIOD**  
3 **REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION UNLESS:**

4                   **(I) THE PROVIDER FILES AN APPLICATION FOR PAYMENT WITH**  
5 **THE COMMISSION WITHIN 3 YEARS FROM THE LATER OF THE DATE;**

6                           **1. ~~THE~~ MEDICAL SERVICE OR TREATMENT ~~IS~~ WAS**  
7 **PROVIDED TO THE COVERED EMPLOYEE;**

8                           **2. THE CLAIM FOR COMPENSATION WAS ACCEPTED BY**  
9 **THE EMPLOYER OR THE EMPLOYER’S INSURER; OR**

10                           **3. THE CLAIM FOR COMPENSATION WAS DETERMINED**  
11 **BY THE COMMISSION TO BE COMPENSABLE; AND**

12                   **(II) THE COMMISSION EXCUSES THE UNTIMELY SUBMISSION**  
13 **FOR GOOD CAUSE.**

14           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
15           October 1, 2017.

Approved:

\_\_\_\_\_ Governor.

\_\_\_\_\_ President of the Senate.

\_\_\_\_\_ Speaker of the House of Delegates.