

Chapter 566

(Senate Bill 867)

AN ACT concerning

Workers' Compensation – Failure to Report Accident or Action to Deter or Dissuade From Filing a Claim – Penalties Accidental Personal Injury – Penalty

FOR the purpose of altering a certain violation relating to an employer failing to report an accidental personal injury within a certain time required under the workers' compensation law to require the violation to be a knowing violation; increasing the penalties penalty imposed on an employer who fails to report an accidental personal injury within the time required under the workers' compensation law for a certain violation; providing that an employer who takes an action to deter or dissuade a covered employee from filing a certain claim application form is guilty of a misdemeanor and on conviction is subject to certain penalties; requiring an employer to pay to a covered employee a certain amount of compensation or benefits under certain circumstances; defining a certain term; and generally relating to workers' compensation claims.

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

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

Article – Labor and Employment

9–1102.

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

~~(B) (1) An employer who KNOWINGLY fails to report an accidental personal injury within the time required under § 9–707(a) of this title ~~OR WHO TAKES AN ACTION TO DETER OR DISSUADE A COVERED EMPLOYEE FROM FILING A CLAIM APPLICATION FORM UNDER THIS TITLE~~ is guilty of a misdemeanor and on conviction is subject to a fine not exceeding [~~\$50~~] **\$500** ~~OR IMPRISONMENT NOT EXCEEDING 6 MONTHS OR BOTH.~~~~

~~(2) IF THE EMPLOYER’S CONDUCT UNDER PARAGRAPH (1) OF THIS SUBSECTION CAUSES THE COVERED EMPLOYEE NOT TO RECEIVE COMPENSATION OR BENEFITS THAT THE COVERED EMPLOYEE WOULD HAVE BEEN ENTITLED TO~~

~~UNDER THIS TITLE, THE EMPLOYER SHALL PAY TO THE COVERED EMPLOYEE THE AMOUNT OF THE COMPENSATION OR BENEFITS THAT THE COVERED EMPLOYEE DID NOT RECEIVE DUE TO THE EMPLOYER'S CONDUCT.~~

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

Approved by the Governor, May 4, 2017.