

SENATE BILL 1207

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By: **Senator Klausmeier**

Introduced and read first time: February 23, 2018

Assigned to: Rules

A BILL ENTITLED

1 AN ACT concerning

2 **Workers' Compensation – Temporary Partial Disability – Concurrent**
3 **Employment**

4 FOR the purpose of authorizing a covered employee, during the time the employee is
5 receiving certain temporary partial disability benefits, to earn wages from certain
6 concurrent employment under certain circumstances; providing for the application
7 of this Act; and generally relating to temporary partial disability benefits.

8 BY adding to

9 Article – Labor and Employment

10 Section 9–616

11 Annotated Code of Maryland

12 (2016 Replacement Volume and 2017 Supplement)

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

Article – Labor and Employment

16 **9–616.**

17 **(A) THIS SECTION APPLIES ONLY TO A COVERED EMPLOYEE WHO:**

18 **(1) IS TEMPORARILY PARTIALLY DISABLED AS A RESULT OF AN**
19 **ACCIDENTAL PERSONAL INJURY OR OCCUPATIONAL DISEASE;**

20 **(2) WAS CONCURRENTLY EMPLOYED BY MORE THAN ONE EMPLOYER**
21 **AT THE TIME THAT THE ACCIDENTAL PERSONAL INJURY OR OCCUPATIONAL**
22 **DISEASE OCCURRED;**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(3) IS UNABLE TO PERFORM AT THE EMPLOYMENT WHERE THE**
2 **ACCIDENTAL PERSONAL INJURY OR OCCUPATIONAL DISEASE OCCURRED; AND**

3 **(4) IS ABLE TO PERFORM AT A CONCURRENT EMPLOYMENT.**

4 **(B) DURING THE TIME A COVERED EMPLOYEE IS RECEIVING TEMPORARY**
5 **PARTIAL DISABILITY BENEFITS AS A RESULT OF AN ACCIDENTAL PERSONAL INJURY**
6 **OR OCCUPATIONAL DISEASE, THE COVERED EMPLOYEE MAY EARN WAGES FROM A**
7 **CONCURRENT EMPLOYMENT IN WHICH THE COVERED EMPLOYEE WAS ENGAGED AT**
8 **THE TIME THAT THE ACCIDENTAL PERSONAL INJURY OR OCCUPATIONAL DISEASE**
9 **OCCURRED IF:**

10 **(1) THE TYPE AND DUTIES OF EMPLOYMENT AT THE CONCURRENT**
11 **EMPLOYMENT ARE NOT SIMILAR TO THE TYPE AND DUTIES OF EMPLOYMENT AT THE**
12 **EMPLOYMENT WHERE THE ACCIDENTAL PERSONAL INJURY OR OCCUPATIONAL**
13 **DISEASE OCCURRED; AND**

14 **(2) THE COVERED EMPLOYEE'S PHYSICIAN CERTIFIES THAT THE**
15 **TYPE AND DUTIES OF THE EMPLOYMENT AT THE CONCURRENT EMPLOYMENT WILL**
16 **NOT IMPEDE THE HEALING PROCESS OF THE COVERED EMPLOYEE.**

17 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
18 October 1, 2018.