



**Board of Education of Howard County
Testimony Submitted to the Maryland Senate,
Finance Committee
March 9, 2021**

**Board of Education
of Howard County**

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**SB0860: UNFAVORABLE
Workers' Compensation - COVID-19 Occupational Disease Presumption -
Public School Employees**

The Board of Education of Howard County (the Board) opposes **SB0860 Workers' Compensation - COVID-19 Occupational Disease Presumption - Public School Employees** as an unfunded mandate that will severely impact school system resources.

SB0860 provides specific occupational disease workers' compensation coverage for paid public school employees, including teachers, administrators and support staff. While the Board supports the existing provision of benefits for employees who have suffered harm arising out of and in the course of employment, this bill goes beyond that threshold to provide a presumption that those who fall ill are suffering from an occupational disease contracted in the course of employment if they test positive for or are diagnosed with COVID-19 with 14 days after they performed work at the school or other assigned work location outside their home. The bill has a retroactive application for such circumstances since March 1, 2020, and makes the presumption only "rebuttable with substantial evidence to the contrary that demonstrates that the employee tested positive for or was diagnosed with COVID-19 for reasons not arising out of and in the course of employment."

Similar to the Board's opposition of SB0813 also being heard by this Committee, which adds a presumption for COVID-19 illness to an existing section of law related to first responders, SB0860 would stress school system finances with increased workers' compensation claims. Moreover, the burden will fall to the Howard County Public School System to pay to investigate the origins of each employee COVID-19 illness, meaning countless hours of resources dedicated to these cases going back nearly a year.

For these reasons, we urge an UNFAVORABLE report of SB0860 from this Committee.