



House Bill 1145

Workers' Compensation - Occupational Disease Presumptions - Hypertension

MACo Position:

To: Economic Matters Committee

LETTER OF INFORMATION

Date: February 28, 2024

From: Brianna January

The Maryland Association of Counties (MACo) offers the following **Letter of Information** regarding HB 1145. This bill would greatly alter existing workers' compensation benefits for volunteer and paid firefighters experiencing hypertension by expanding eligibility and minimizing current requirements.

Current law grants volunteer and professional firefighters hypertension as a presumption for workers' compensation, eligible by death or disability. HB 1145 would remove that death and disability eligibility requirement and instead grant the benefit even if the claimant is still able to work and even if they choose to continue doing so – a dramatic rethinking of the core notion of workers' compensation.

Furthermore, the bill would only require three blood pressure readings indicative of hypertension and the prescription of medication to qualify for the benefit. In doing so, the bill essentially changes the current statute of limitations to claim benefits, making it difficult to determine when hypertension started and whether it is attributable to firefighting or other factors like genetics and diet, as growing scientific evidence suggests.

Presumably, with the changes under HB 1145, counties would experience an influx of volunteer and professional firefighters seeking workers' compensation benefits for hypertension, the vast majority of which would be approved for lifelong benefits under the new eligibility requirements of the bill.

MACo has a long history of opposing establishing presumptions for workers' compensation benefits. Public employers find themselves compensating for lifelong exposures where there is no material evidence to support the workplace as the origin of the illness. Courts have consistently ruled against employers on issues of presumptions, rendering these presumptions effectively irrebuttable. HB 1145 would contribute to that imbalance.

As such, counties respectfully ask that the Committee consider the central principles of the workers' compensation program, and the information outlined in this letter, when reviewing HB 1145.