



Senate Bill 90

Workers' Compensation - Occupational Disease Presumptions - Hypertension

MACo Position: **OPPOSE**

To: Finance Committee

Date: March 10, 2026

From: Karrington Anderson

The Maryland Association of Counties (MACo) **OPPOSES** SB 90. This bill would significantly expand existing workers' compensation presumptions for paid firefighters, EMTs, and paramedics diagnosed with hypertension by presuming not only compensability, but also disablement. Overlaid upon Maryland's current statutes and case law, this proposal represents a consequential and costly change in workers' compensation policy.

SB 90 would eliminate the need to demonstrate actual disablement for certain public safety employees. Instead, the bill provides that a paid firefighter, EMT, or paramedic who has (1) been diagnosed with hypertension by an authorized provider, (2) been prescribed medication to treat hypertension within the previous 90 days, (3) completed at least two years of cumulative service, and (4) are still employed in that paid position at the time of filing the claim, would qualify under a presumption that effectively encompasses both occupational causation and disability.

This is a significant departure from current law. Hypertension is a common and widespread condition influenced by a range of non-occupational factors, including age, genetics, diet, and lifestyle. It is also common for individuals to be prescribed medication as a precautionary or maintenance measure. In many instances, a physician may adjust medication or recommend a brief period away from work, circumstances that can already qualify as a disablement under the existing statute. SB 90 goes substantially further by presuming disablement based solely on at least two years of service, diagnosis, and medication use, regardless of whether the individual is unable to perform job duties.

By lowering the threshold in this manner, the bill would likely result in a substantial increase in workers' compensation claims. The burden would shift to counties to disprove the occupational connection of a condition that is prevalent in the general population and often develops over time. Given the strong legal weight afforded to statutory presumptions, such claims can be exceedingly difficult to rebut. Increased claims would translate into higher workers' compensation costs, including long-term medical benefits and indemnity payments, further constraining the already limited resources for essential county services.

MACo has consistently expressed concerns regarding expansions of workers' compensation presumptions. Presumptions require public employers to compensate claims without clear evidence linking the condition to workplace exposure and reduce the ability to fairly evaluate individual circumstances. SB 90 would further exacerbate this imbalance by presuming disability in addition to occupational causation. For these reasons, MACo requests an **UNFAVORABLE** report on SB 90.