



Senate Bill 174

Workers' Compensation Commission – Location of Hearings – Claims Filed by Employees of Governmental Agencies

MACo Position: **SUPPORT**

Date: February 9, 2016

To: Finance Committee

From: Leslie Knapp, Jr.

& Michael J. Sanderson

The Maryland Association of Counties (MACo) **SUPPORTS** SB 174. The bill would strike a reasonable balance between county workers' compensation attorneys being able to attend Workers' Compensation Commission (WCC) hearings and the need of a covered employee to have the hearing at an alternative location because of medical needs.

Under current law, for workers' compensation claims where a government agency is the employer, the Workers' Compensation Commission (WCC) will normally conduct a hearing in either the county where the agency is located or at the nearest regional hearing location. However, the covered employee may object to the location for any reason and then the WCC will typically move the hearing to the hearing location nearest to the employee.

Given Maryland's high commuter population, this provision of law has led to situations where a county workers' compensation attorney (or their insurer representative) has been scheduled for multiple hearing locations across the state on the same day, resulting in hearing delays or missed hearings. WCC has advised in the bill's fiscal note that there have been 128 change of venue requests so far in FY 2016 and there likely will be 250 total requests by the end of the year.

SB 174 would require that the WCC may conduct a hearing at an alternate location only if the covered employee demonstrates a medical necessity through a detailed medical report. MACo believes this strikes a fair balance between having the limited government agency staff (which is sometimes a single person) attend and participate in the hearing versus acknowledging when a covered employee has a valid reason for not being able to travel to a location they normally commute to in the course of their job.

SB 174 would properly balance need of a county employer to be represented in a WCC hearing versus the need of a covered employee to move the hearing to an alternate location for valid medical reasons. Accordingly, MACo urges the Committee to adopt a **FAVORABLE** report on SB 174.