

which was created on this date; provided, that the Subsequent Injury Fund shall assume the defense and a payment of all claims made against the Second Injury Fund for injuries which arose prior to June 1, 1963.

SEC. 2. *And be it further enacted, That this Act shall take effect June 1, 1967.*

Approved April 14, 1967.

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CHAPTER 155

(House Bill 473)

AN ACT to add new Section 25A to Article 101 of the Annotated Code of Maryland (1964 Replacement Volume), title "Workmen's Compensation," subtitle "Application of Article; Extra-Hazardous Employments," to follow immediately after Section 25 thereof, to provide for workmen's compensation benefits for occupational deafness due to industrial noise, to provide for the manner of determining loss of hearing caused by such employment, to provide for the filing of claims, to allocate liability for such occupational deafness among employers and to relate to occupational deafness and compensation therefor.

SECTION 1. *Be it enacted by the General Assembly of Maryland, That new Section 25A be and it is hereby added to Article 101 of the Annotated Code of Maryland (1964 Replacement Volume), title "Workmen's Compensation," subtitle "Application of Article; Extra-Hazardous Employments," to follow immediately after Section 25 thereof, and to read as follows:*

25A.

(a) *Occupational deafness shall be compensated according to the terms and conditions of this section.*

(b) *For compensation purposes losses of hearing due to industrial noise shall be confined to the frequencies of 500, 1000, and 2000 cycles per second. Loss of hearing ability for frequency tones above 2000 cycles per second are not to be considered as constituting disability for hearing.*

(c) *The per cent of hearing loss, for purposes of the determination of compensation claims for occupational deafness, shall be calculated as the average, in decibels, of the thresholds of hearing for the frequencies of 500, 1000, and 2000 cycles per second. Pure tone air conduction audiometric instruments, approved by nationally recognized authorities in this field, shall be used for measuring hearing loss. If the losses of hearing average 15 decibels or less in the three frequencies, such losses of hearing shall not then constitute any compensable hearing disability. If the losses of hearing average 82 decibels or more in the three frequencies, then the same shall constitute and be a total or 100 per cent compensable hearing loss.*