

(1964 Replacement Volume and 1968 Supplement), title "Workmen's Compensation," subtitles "Appeals," and "Miscellaneous," respectively, to provide that the Subsequent Injury Fund shall have a right of appeal as provided in Section 56(a) of this Article.

SECTION 1. *Be it enacted by the General Assembly of Maryland,* That Sections 56(a) and 66(5) of Article 101 of the Annotated Code of Maryland (1964 Replacement Volume and 1968 Supplement), title "Workmen's Compensation," subtitles "Appeals," and "Miscellaneous," respectively, be and they are hereby repealed and re-enacted, with amendments, to read as follows:

56.

(a) APPEALS TO LOCAL COURTS; PROCEEDINGS; JURY TRIAL—Any employer, employee, beneficiary or person feeling aggrieved by any decision of the Commission affecting his interests under this article, may have the same reviewed by a proceeding in the nature of an appeal and initiated in the circuit court of the county or in the common-law courts of Baltimore City having jurisdiction over the place where the accident occurred or over the person appealing from such decision, and the court shall determine whether the Commission has justly considered all the facts concerning the injury, whether it has exceeded the powers granted it by the article, and whether it has misconstrued the law and facts applicable in the case decided. *For the purposes of this Section, the word "person" shall be deemed to include the Subsequent Injury Fund as created by Section 66 of this Article.* In the event that an appeal shall be taken to court other than the circuit court of the county or to a common-law court of Baltimore City having jurisdiction over the place where the accident occurred or over the person appealing from such decision, the court shall on motion of either party transfer such appeal to the proper tribunal, so that the said appeal may be heard on its merits in the court having jurisdiction to hear the same. If the court shall determine that the Commission has acted within its powers and has correctly construed the law and facts, the decision of the Commission shall be confirmed; otherwise it shall be reversed or modified. Upon the hearing of such an appeal the court shall, upon motion of either party filed with the clerk of the court according to the practice in civil cases, submit to a jury any question of fact involved in such case provided, however, that in all appeals in which occupational diseases are involved, the findings of fact by the Commission shall be final and not subject to review or modification by the court or be submitted to a jury. The proceedings in every such an appeal shall be informal and summary, but full opportunity to be heard shall be had before judgment is pronounced. In the event a claimant needs additional medical attention pending any appeal as provided herein, the Commission shall retain jurisdiction to entertain a request for additional medical treatment and attention and may issue a supplemental order requiring the employer to furnish additional medical treatment and attention, which order is subject to review on the pending appeal. An appeal shall not be a stay of any order of the Commission directing payment of compensation or any order or supplemental order requiring the furnishing of medical treatment. If the decision of the Commission shall be confirmed, reversed or modified, the practice prevailing in civil cases as to the payment of costs and the fees of