

Workmen's Compensation - Subsequent Injury Fund

FOR the purpose of providing a method of assessments to support the Subsequent Injury Fund and a mechanism for handling the assessments; providing that the Subsequent Injury Fund Board shall handle certain administrative functions formerly handled by the Workmen's Compensation Commission; granting the Subsequent Injury Fund Board the authority to hire experts necessary to defend actions against the Subsequent Injury Fund; providing that the funding for the budget of the Subsequent Injury Fund shall be made directly from assets of the Subsequent Injury Fund; providing for an effective date; deleting certain obsolete language; and generally relating to the Subsequent Injury Fund.

BY repealing and reenacting, with amendments,

Article 101 - Workmen's Compensation
Section 66
Annotated Code of Maryland
(1979 Replacement Volume and 1982 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article 101 - Workmen's Compensation

66.

(1) Whenever an employee who has a permanent impairment due to previous accident or disease or any congenital condition, which is or is likely to be a hindrance or obstacle to his employment, incurs subsequent disability by reason of a personal injury, for which compensation is required by this article resulting in permanent partial or permanent total disability that is substantially greater by reason of the combined effects of the impairment and subsequent injury than that which would have resulted from the subsequent injury alone, the employer or his insurance carrier shall be liable only for the compensation payable under this article for such injury. However, in addition to such compensation to which the employer or his insurance carrier is liable, and after the completion of payments therefor provided by this article, the employee shall be entitled to receive and shall be paid additional compensation from a special fund to be known as the "Subsequent Injury Fund," created for such purpose, in the manner described hereafter in this section, it being the intent of this section to make the total payments to which such employee shall become entitled equal to the compensation that would be due for the combined effects of the impairment and subsequent injury resulting in permanent total disability or a substantially greater permanent partial disability.