

CHAPTER 371

(House Bill 384)

AN ACT concerning

Workers' Compensation - Evaluation of Permanent Impairments

FOR the purpose of requiring that a licensed psychologist or a qualified physician perform an evaluation of only the mental or behavioral portion of a permanent impairment in a workers' compensation case under certain circumstances; requiring that the report of an evaluation in a case that involves a behavioral or mental disorder be submitted to the Workers' Compensation Commission in accordance with the regulations of the Commission; and generally relating to the evaluation of a permanent impairment under workers' compensation law.

BY repealing and reenacting, with amendments,

Article - Labor and Employment

Section 9-721

Annotated Code of Maryland

(1999 Replacement Volume and 2004 Supplement)

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

Article - Labor and Employment

9-721.

(a) [A] EXCEPT AS PROVIDED IN SUBSECTION (C) OF THIS SECTION, A physician shall evaluate a permanent impairment and report the evaluation to the Commission in accordance with the regulations of the Commission.

(b) A medical evaluation of a permanent impairment shall include information about:

- (1) atrophy;
- (2) pain;
- (3) weakness; and
- (4) loss of endurance, function, and range of motion.

(C) IF A PERMANENT IMPAIRMENT INVOLVES A BEHAVIORAL OR MENTAL DISORDER, A LICENSED PSYCHOLOGIST OR QUALIFIED PHYSICIAN SHALL:

(1) PERFORM AN EVALUATION OF ONLY THE MENTAL OR BEHAVIORAL PORTION OF THE PERMANENT IMPAIRMENT; AND

(2) REPORT THE EVALUATION TO THE COMMISSION IN ACCORDANCE WITH THE REGULATIONS OF THE COMMISSION.