

Section 49 and 66(5)
Annotated Code of Maryland
(1985 Replacement Volume)

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

Article 101 - Workmen's Compensation

49.

In every case providing for compensation to the injured employee or his dependent, excepting temporary disability, the Commission may, if in its opinion the facts and circumstances of the case warrant it, convert the compensation to be paid in a partial or total lump sum, without discount. Lump-sum payments may also be made by the Commission for the purposes provided for in § 57 of this article. ~~However, no lump sum may be granted from compensation payable after the sum of \$45,000 has been paid.~~ If a lump sum is granted under § 36 (1) (a) or § 36 (8) of this article OR IN ANY CASE INVOLVING PAYMENTS UNDER AN AWARD OF PERMANENT TOTAL DISABILITY OR DEATH BY AN EMPLOYER OR ITS INSURANCE CARRIER OR BY THE SUBSEQUENT INJURY FUND, WHETHER THE LUMP SUM IS GRANTED UNDER THIS SECTION OR FOR THE PURPOSES PROVIDED IN § 57 OF THIS ARTICLE, the Commission shall reduce the weekly rate of compensation until the amount of the lump sum granted would have been paid if that sum had been paid in weekly payments. ~~WHEN PAYMENTS ARE MADE BY THE SUBSEQUENT INJURY FUND IN PERMANENT TOTAL DISABILITY OR DEATH CASES UNDER THIS SECTION, THE WORKMEN'S COMPENSATION COMMISSION SHALL DETERMINE IN ITS AWARD, BOTH THE DOLLAR AMOUNT AND THE PRECISE NUMBER OF WEEKS TO BE PAID BY THE EMPLOYER OR ITS INSURANCE CARRIER AT THE REDUCED WEEKLY RATE AND, AND WHEN SUBSEQUENT INJURY FUND PAYMENTS APPLY, THE DOLLAR AMOUNT AND THE PRECISE NUMBER OF WEEKS TO BE PAID BY THE SUBSEQUENT INJURY FUND AT THE REDUCED WEEKLY RATE. THE PROVISIONS OF THIS SECTION SHALL ALSO APPLY TO PAYMENTS MADE UNDER § 57 OF THIS ARTICLE.~~

66.

(5) In any case which shall come before the Workmen's Compensation Commission involving payments from the fund, it shall request the Attorney General to furnish a member of his staff to represent the fund in hearings before it. In a case in which the fund is impleaded and subject to the approval of the Subsequent Injury Fund Board, the representative of the fund may hire any experts necessary to properly defend the action. Expenses incurred shall be paid from the Subsequent Injury Fund as directed by the Board. In any award it shall make from the fund, the Commission shall specifically find the amount the injured employee shall be paid weekly, the number of weeks' compensation to be paid, the date upon which payments from the fund shall begin, and, if possible, the length of time such payments shall continue. In making any award from the fund for a