

CHAPTER 501

(House Bill 145)

AN ACT concerning

State Employment – Medical Disqualifications

FOR the purpose of transferring from the Secretary of Personnel to a State appointing authority or designee of an appointing authority responsibility for documenting the reasons for denying State employment to a job applicant for medical reasons; requiring the Secretary to adopt guidelines on denials for medical reasons; and generally relating to the denial of State employment for medical reasons.

BY repealing and reenacting, with amendments,

Article – State Personnel and Pensions

Section 3-501(c)

Annotated Code of Maryland

(As enacted by Chapter ____ (S.B. 50) of the Acts of the General Assembly of 1993)

BY adding to

Article – State Personnel and Pensions

Section 3-501(d)

Annotated Code of Maryland

(As enacted by Chapter ____ (S.B. 50) of the Acts of the General Assembly of 1993)

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

Article – State Personnel and Pensions

3-501.

(c) Before an applicant may be denied employment for medical reasons, the [secretary] APPOINTING AUTHORITY or a designee of the [secretary] APPOINTING AUTHORITY shall document in writing:

- (1) that, using relevant provisions of federal and State law and regulations, reasonable accommodations were considered;
- (2) the specific accommodations that were considered; and
- (3) the reasons for rejecting those accommodations.

(D) THE SECRETARY SHALL DEVELOP AND MAKE AVAILABLE TO APPOINTING AUTHORITIES GUIDELINES ON DENIALS OF EMPLOYMENT FOR MEDICAL REASONS THAT REFLECT APPLICABLE FEDERAL AND STATE LAW AND REGULATIONS.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 1993.