

(1) THE EMPLOYEE FAILS TO RETURN FROM FAMILY LEAVE AFTER THE PERIOD OF LEAVE TO WHICH THE EMPLOYEE IS ENTITLED HAS EXPIRED; AND

(2) THE EMPLOYEE FAILS TO RETURN TO WORK FOR A REASON OTHER THAN:

(I) THE CONTINUATION, RECURRENCE, OR ONSET OF A SERIOUS HEALTH CONDITION OF THE EMPLOYEE OR THE EMPLOYEE'S FAMILY MEMBER THAT ENTITLES THE EMPLOYEE TO FAMILY LEAVE; OR

(II) OTHER CIRCUMSTANCES BEYOND THE CONTROL OF THE EMPLOYEE.

SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article – State Personnel and Pensions

7-605.

(a) PAYMENT TO AN EMPLOYEE FOR WORK-RELATED ACCIDENT LEAVE TAKEN UNDER THIS SUBTITLE SHALL BE BASED ON TWO-THIRDS OF THE EMPLOYEE'S REGULAR PAY.

(B) Payment for work-related accident leave taken under this subtitle constitutes a separate benefit on account of accidental disability and is not a continuation of salary.

(C) AN EMPLOYEE RECEIVING WORK-RELATED ACCIDENT LEAVE SHALL CONTINUE TO ACCRUE LEAVE, SENIORITY, AND HEALTH CARE BENEFITS WITH THE SUBSIDY ALLOWED IN TITLE 8, SUBTITLE 1 OF THIS ARTICLE.

~~[(b)](C)~~ (D) An employee may not receive temporary total disability benefits under the Maryland Workers' Compensation Act while the employee is receiving payment under this subtitle.

7-905.

(e) ~~[(1)]~~ All employee benefits, ~~[including]~~ EXCEPT health care, are suspended

(C) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, ALL EMPLOYEE BENEFITS ARE SUSPENDED during a period of family or seasonal leave.

[(2) Notwithstanding paragraph (1) of this subsection, an employee may continue, as allowed by law or regulation, any benefit during the period of family or seasonal leave by paying the full cost of the benefit, including the share ordinarily paid by this State.]

(2) AN EMPLOYEE MAY CONTINUE HEALTH CARE BENEFITS DURING A PERIOD OF FAMILY OR SEASONAL LEAVE WITH THE SUBSIDY ALLOWED IN TITLE 8, SUBTITLE 1 OF THIS ARTICLE.

(D) ANY HEALTH INSURANCE SUBSIDY ALLOWED UNDER SUBSECTION (C) OF THIS SECTION MAY BE RECOVERED FROM THE EMPLOYEE IF: