

(ii) has not been liable on a claim for compensation during the 5 years immediately [preceding] AFTER the day on which the event described in item (i) of this paragraph occurred.

9-661.

(c) If the employer or its insurer fails to make a repair or replacement required under subsection (a) of this section within 3 days after the damage or destruction occurs, the Commission may order the employer or its insurer to pay compensation to the covered employee for any lost time[, subject to the waiting period under § 9-620 of this subtitle] AFTER THE 3-DAY WAITING PERIOD.

9-804.

(b) (2) In the case of a permanent total disability under Subtitle 6, Part V of this title, the deduction shall be made by reducing the weekly rate of compensation in accordance with § 9-729 of this title until the amount of the [lump sum] PRIOR PERMANENT DISABILITY PAYMENTS AWARDED would have been paid if [it] THEY had been paid in weekly payments.

9-902.

(f) [The] IN AN ACTION BROUGHT BY A COVERED EMPLOYEE OR THE DEPENDENTS OF THE COVERED EMPLOYEE UNDER SUBSECTION (C) OF THIS SECTION, THE covered employee or the dependents of the covered employee, the self-insured employer, the insurer, the Subsequent Injury Fund, and the Uninsured Employers' Fund shall pay court costs and attorney's fees in the proportion that the amount received by each bears to the whole amount paid in settlement of any claim or satisfaction of any judgment obtained in the case.

SECTION 5. AND BE IT FURTHER ENACTED, That:

Article - Labor and Employment

9-101.

(b) "Accidental PERSONAL injury" means:

- (1) an accidental injury that arises out of and in the course of employment;
- (2) an injury caused by a willful or negligent act of a third person directed against a covered employee in the course of the employment of the covered employee; or
- (3) a disease or infection that naturally results from an accidental injury that arises out of and in the course of employment, including:
 - (i) an occupational disease; and
 - (ii) frostbite or sunstroke caused by a weather condition.