

TITLE 9. WORKERS' COMPENSATION.

SUBTITLE 1. DEFINITIONS; GENERAL PROVISIONS.

9-101. DEFINITIONS.

(A) IN GENERAL.

IN THIS TITLE THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

REVISOR'S NOTE: This subsection is new language derived without substantive change from the introductory language of former Art. 101, § 67.

(B) ACCIDENTAL INJURY.

"ACCIDENTAL 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.

REVISOR'S NOTE: This subsection is new language derived without substantive change from the first sentence of former Art. 101, § 67(6).

In the introductory language of this subsection, the former terms "injury", "personal injury", and "accidental personal injury" are deleted as unnecessary, since the term "accidental injury" is used consistently throughout this title to avoid confusion.

The Labor and Employment Article Review Committee notes, for consideration by the General Assembly, that while the definition of "accidental injury" includes a disease or infection that results naturally from an accidental injury that arises out of and in the course of employment, the definition does not include a disease or infection that results naturally from an injury caused by a willful or negligent act of a third person. The General Assembly may wish to consider whether a disease or infection that results naturally from an injury caused by a willful or negligent act of a third person is intended to be excluded.

Defined term: "Occupational disease" § 9-101