

AN EMPLOYER IS LIABLE TO PROVIDE COMPENSATION IN ACCORDANCE WITH SUBSECTION (A) OF THIS SECTION, REGARDLESS OF FAULT AS TO A CAUSE OF THE ACCIDENTAL INJURY.

REVISOR'S NOTE: This section is new language derived without substantive change from the first sentence of former Art. 101, § 15, as it related to the liability of an employer for compensation.

In the introductory language of subsection (a) of this section, the reference to each employer "of a covered employee" is substituted for the former reference to each employer "subject to this title", for clarity. Section 9-201 of this title provides that this title applies to each employer who has a covered employee.

In subsection (a) of this section, the references to a "covered employee" and the "dependents of the covered employee" are added to clarify who is entitled to compensation under this section.

Also in subsection (a) of this section, the former phrase "arising out of and in the course of his employment" is deleted as unnecessary in light of the definition of "accidental injury". As to the definition of "accidental injury", see § 9-101 of this title.

In subsection (a)(1) of this section, the former reference to a "disability" is deleted as overly narrow, since a covered employee who sustains an accidental injury may be entitled to certain benefits even if the covered employee is not disabled.

The fourth sentence of former Art. 101, § 15, which excluded "workmen in employments not extra-hazardous", is deleted as obsolete. See the revisor's note to § 9-101(f) of this title.

Defined terms: "Accidental injury" § 9-101

"Compensation" § 9-101 "Covered employee" § 9-101

9-502. OCCUPATIONAL DISEASE — COMPENSATION.

(A) "DISABLEMENT" DEFINED.

IN THIS SECTION, "DISABLEMENT" MEANS THE EVENT OF A COVERED EMPLOYEE BECOMING PARTIALLY OR TOTALLY INCAPACITATED:

(1) BECAUSE OF AN OCCUPATIONAL DISEASE; AND

(2) FROM PERFORMING THE WORK OF THE COVERED EMPLOYEE IN THE LAST OCCUPATION IN WHICH THE COVERED EMPLOYEE WAS INJURIOUSLY EXPOSED TO THE HAZARDS OF THE OCCUPATIONAL DISEASE.

(B) SCOPE OF APPLICATION TO EMPLOYER AND INSURER.