

compensation or benefits under the workers' compensation law if the primary cause of an accidental personal injury, compensable hernia, or occupational disease was the effect on the employee of intoxication or a certain controlled dangerous substance; defining a certain term; providing that certain benefits shall not be denied under certain circumstances; providing that in a proceeding on a certain claim there is, absent substantial evidence to the contrary, a certain presumption; and generally relating to eligibility for compensation or benefits under workers' compensation law.

BY repealing and reenacting, with amendments,

Article - Labor and Employment

Section 9-506

Annotated Code of Maryland

(1991 Volume and 1997 Supplement)

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

Article - Labor and Employment

9-506.

(a) A covered employee or a dependent of a covered employee is not entitled to compensation or benefits under this title as a result of:

(1) an intentional, self-inflicted accidental personal injury, compensable hernia, or occupational disease; or

(2) an attempt to injure or kill another.

(b) A covered employee or a dependent of a covered employee is not entitled to compensation or benefits under this title as a result of an accidental personal injury, compensable hernia, or occupational disease if:

(1) the accidental personal injury, compensable hernia, or occupational disease was caused solely by the effect on the covered employee of:

(i) a depressant, hallucinogenic, hypnotic, narcotic, or stimulant drug; or

(ii) another drug that makes the covered employee incapable of satisfactory job performance; and

(2) the drug was not administered or taken in accordance with the prescription of a physician.

(c) A covered employee or a dependent of a covered employee is not entitled to compensation or benefits under this title as a result of an accidental personal injury, compensable hernia, or occupational disease if the accidental personal injury, compensable hernia, or occupational disease was caused solely by the intoxication of the covered employee while on duty.