

HB1101/477270/1

BY: Finance Committee

AMENDMENTS TO HOUSE BILL 1101
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after “Presumptions” insert “and Study”; in line 5, strike “providing that certain” and substitute “altering the”; in the same line, after “cancers” insert “that”; and in line 7, after “manner;” insert “requiring the Department of Legislative Services, in consultation with and as agreed by certain stakeholders, to contract with a certain individual to conduct a certain study of certain types of cancers that certain individuals may contract in the line of duty; providing for the purpose of the study; providing that any funding needed to pay for the study shall be from sources other than the Department; requiring the Department to give certain notice to certain persons and entities under certain circumstances; requiring a certain individual to identify and review certain studies and other medical evidence, prepare a certain summary table, determine whether there is a certain benchmark, and consider certain matters; requiring the individual to consult with certain persons or entities under certain circumstances; requiring the individual to report to the Department on or before a certain date; requiring the Department to forward a certain report to certain committees of the General Assembly; requiring a certain organization, in consultation with certain persons and entities, to determine the statistics relating to certain individuals that should be kept for a certain purpose; providing for a delayed effective date for certain provisions of this Act; providing for the application and construction of certain provisions of this Act;”.

AMENDMENT NO. 2

On page 3, in line 19, strike “pancreatic.”.

AMENDMENT NO. 3

On page 5, after line 31, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That:

(Over)

(a) (1) The Department of Legislative Services, in consultation with and as agreed by the affected stakeholders, shall contract with a medical expert affiliated with an academic research institution or organization to conduct a study of all types of cancers that firefighters, firefighting instructors, members of the Office of the State Fire Marshal, rescue squad members, and advanced life support unit members, as specified under the workers' compensation cancer presumption law, may contract in the line of duty, as compared to the general population.

(2) The purpose of the study is to provide guidance to the General Assembly as to the types of cancers firefighters and others are likely to contract in the line of duty in order for the General Assembly to determine which types of cancers should be included in the workers' compensation cancer presumption law.

(3) (i) Funding, if any, that may be needed to pay for the study shall be from sources other than the Department.

(ii) If adequate funding is not available to pay for the study, the Department shall notify the Governor, the affected stakeholders, and, in accordance with § 2-1246 of the State Government Article, the Senate Finance Committee and the House Economic Matters Committee, that the Department is unable to contract with a medical expert affiliated with an academic research institution or organization to conduct the study, and requesting whether additional funding may be secured in order for the Department to proceed with contracting with a medical expert.

(b) In conducting the study, the medical expert shall:

(1) identify and review recent objective and statistically valid studies and other medical evidence relating to all types of cancers firefighters and others may contract in the line of duty;

(2) prepare a summary table ranking the likelihood of each type of cancer risk to firefighters and others, as compared to the general public;

(3) determine whether there is a benchmark that could be used to determine if a specific type of cancer should be included in the workers' compensation cancer presumption law; and

(4) consider other relevant matters that relate to the purpose of the study.

(c) In conducting the study, the medical expert shall consult with any person or entity that the medical expert determines appropriate.

(d) (1) On or before December 1, 2012, the medical expert conducting the study shall report the findings of the study to the Department of Legislative Services.

(2) On receipt of the report, the Department of Legislative Services shall forward the report to the Senate Finance Committee and the House Economic Matters Committee, in accordance with § 2-1246 of the State Government Article.

SECTION 3. AND BE IT FURTHER ENACTED, That the Maryland Association of Counties, in consultation with the Professional Firefighters of Maryland and any other entity or person the Association determines appropriate, shall determine the statistics that, as practicable, should be kept relating to firefighters and others who have contracted cancer in order to evaluate the impact of the workers' compensation cancer presumption law.

SECTION 4. AND BE IT FURTHER ENACTED, That Section 1 of this Act:

(1) shall apply to claims filed for an occupational disease on or after June 1, 2013; and

(2) may not construed to apply to any claim filed before June 1, 2013.

SECTION 5. AND BE IT FURTHER ENACTED, That Section 1 of this Act shall take effect June 1, 2013.”;

in line 32, strike “2.” and substitute “6.”; in the same line, after “That” insert “, except as provided in Section 5 of this Act.”; and in line 33, strike “July” and substitute “June”.