



The Maryland State Medical Society

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TO: The Honorable Dereck E. Davis, Chairman
Members of the House Economic Matters Committee
The Honorable John F. Wood, Jr.

FROM: Joseph A. Schwartz, III
Pamela Metz Kasemeyer
J. Steven Wise

DATE: March 4, 2004

RE: **OPPOSE** – House Bill 760 – *Workers’ Compensation – Evaluation of Permanent Impairments*

The Maryland State Medical Society (MedChi) which represents over 7,200 Maryland physicians and their patients opposes House Bill 760.

Historically, an evaluation of a permanent impairment under workers’ compensation rules, has been performed by a physician because it involves a medical evaluation, and only a physician can render a medical opinion. House Bill 760 proposes to alter the rules for evaluation of a permanent impairment. The bill creates a new provision for the evaluation of a permanent impairment that involves a behavioral or mental disorder and specifies that the evaluation may be conducted by a physician or licensed psychologist.

MedChi believes that delineating different rules for evaluating permanent impairments under workers’ compensation based on specific disease or disorder factors begins to fragment the process for determining when a permanent impairment is compensable. Further, regardless of what physical or mental factors may be involved in the permanent impairment, a thorough and complete medical examination is necessary to assure that all contributing factors and physical and mental limitations are adequately and appropriately evaluated. Such a thorough evaluation can only be completed by a physician.

MedChi would assert that there is no deficiency in the current requirement that a permanent impairment be evaluated by a physician. MedChi urges an unfavorable report.

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