

MedChi

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TO: The Honorable Thomas M. Middleton, Chair
Members, Senate Finance Committee
The Honorable Katherine Klausmeier

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

DATE: February 24, 2015

RE: **SUPPORT** – Senate Bill 464 - *Workers' Compensation Act - Frivolous Proceedings - Required Finding*

The Maryland State Medical Society (MedChi), which represents more than 8,000 Maryland physicians and their patients, supports Senate Bill 464.

Senate Bill 464 specifies the instances where the Workers' Compensation Commission (WCC) may assess fees against a party in a proceeding, when it is found that the one who brought the proceedings, did so "...without any reasonable ground..." The "reasonable ground" standard currently exists in the law (page 1, line 18).

Apparently, the WCC is reluctant to assess fees since there is no specific definition of a "reasonable ground." However, Senate Bill 464 provides three specific instances of what could be considered a violation of the "reasonable ground" rule. As such, MedChi believes that Senate Bill 464 would effectuate the current provisions of the law in cases where insurers are clearly abusing the process. Accordingly, MedChi would ask for a favorable report on Senate Bill 464.

For more information call:

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