



Maryland  
Hospital Association

March 2, 2021

To: The Honorable Dereck E. Davis, Chair, House Economic Matters Committee

Re: Oppose- House Bill 765- Worker's Compensation – Occupational Disease Presumptions – Novel Coronavirus (Essential Workers' Compensation Act)

Dear Chair Davis:

On behalf of the Maryland Hospital Association's (MHA) 60 member hospitals and health systems, we appreciate the opportunity to comment in opposition of House Bill 765. Workers' compensation benefit is an employee safeguard that allows financial protection for an employee whose job may result in danger or injury. Like many other industries, hospitals value and appreciate the importance of workers' compensation to replace wages for employees who are injured within the scope of work. With the emergence of the COVID-19 virus, hospitals worked to ensure a safe work environment for employees amidst the consistently changing landscape of a new virus. Maryland hospitals adhere to the latest CDC guidelines to properly protect employees and to combat the rise in COVID-19 infections.

As this novel virus continues to evolve, hospitals have taken significant steps to support the health and safety of their employees. To advance these efforts, many Maryland hospitals offered on-demand COVID-19 testing specifically for hospital employees to reduce the COVID-19 infection rate. Additionally, hospitals enacted contact tracing practices that allow employers to better monitor cases and protect employees. Moreover, Maryland hospitals continue to provide sufficient PPE, enact protective procedures, and disseminate necessary information to ensure employee safety.

Ultimately, the proposed bill would place an unfair presumption against hospitals by requiring them to assume liability when an employee contracts COVID-19, which is widespread and airborne in all of our communities. With the scientific evolution of COVID-19 variants, epidemiologists have not developed a system for scientists to determine a causal link of contraction to an employer. If HB 765 is enacted, hospitals will be liable for the autonomous actions of their employees without proof they contracted the virus at work.

For these reasons, we urge an *unfavorable* report on HB 765.

For more information, please contact:  
Brian Frazee, Vice President, Government Affairs  
Bfrazee@mhaonline.org