

10-114. REGULATIONS; PROMOTIONAL PLAN.

(A) REGULATIONS.

THE BOARD MAY ADOPT ANY REGULATION TO CARRY OUT THIS SUBTITLE.

(B) PROMOTIONAL PLAN.

(1) THE BOARD SHALL HAVE A PLAN TO PROMOTE THE SERVICES OF THE FUND TO EMPLOYERS IN THE STATE.

(2) AS PART OF THE PLAN, THE BOARD MAY PREPARE A PAMPHLET ABOUT THE FUND AND PROVIDE COPIES TO EACH COUNTY FOR DISTRIBUTION TO BUSINESSES WITH PERSONAL PROPERTY TAX BILLS.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 101, §§ 71(a)(2) and 83.

In subsection (a) of this section, the power to adopt regulations "to carry out this subtitle" is substituted for the former power to do so "[i]n the administration of the Injured Workers' Insurance Fund ... for the conduct of ... [its] business", for brevity and conformity to similar authorizations elsewhere in the Code.

Also in subsection (a) of this section, the former limitation "not inconsistent with law" is deleted as surplusage.

Also in subsection (a) of this section, the former specific authority for regulations on "issuance of policies ... protecting Maryland employees ... regardless of where the injury may occur" is deleted as potentially misleading. The Labor and Employment Article Review Committee notes, for consideration by the General Assembly that, although former Art. 101, § 83 was limited by the references "not inconsistent with law" and "under this article", the deleted authority may be read erroneously as authority for the Fund to write insurance outside of the State. The Fund covers a policyholder whose employee is employed in Maryland but is hurt while working temporarily outside of the State. See § 10-117(2)(ii) of this subtitle. However, the Fund lacks authority to write coverage under federal or other states' compensation schemes.

In subsection (b)(1) of this section, the former implementation date, "[b]y January 1, 1991", is deleted as obsolete. Similarly, the former duty to "consider, develop, and implement" a plan is revised as an ongoing duty to "have" a plan to promote the Fund.

In subsection (b)(2) of this section, the reference to "the counties" is substituted for the former reference to "local jurisdictions" for clarity.