

EXCEPT AS PROVIDED IN § 9-736(B) AND (C) OF THIS TITLE, ANY AWARD OR ORDER OF THE COMMISSION UNDER THIS SECTION MAY NOT BE CONSTRUED TO:

- (1) REOPEN ANY CASE; OR
- (2) ALLOW ANY PREVIOUS AWARD TO BE CHANGED.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 101, § 37(a).

In the introductory language of subsection (a) of this section, the reference to a covered employee who "has suffered an accidental injury, compensable hernia, or occupational disease" is substituted for the former reference to any "injured employee", to reflect the expanded scope of the workers' compensation law. Similarly, in subsection (b) of this section, the words "accidental injury, compensable hernia, or occupational disease" are substituted for the former word "injury". When former Art. 101, § 37 was enacted in 1914, the workers' compensation law covered only accidental injuries. Subsequent enactments expanded the law to cover occupational diseases and hernias. The new language reflects the expansion of coverage.

Also in the introductory language of subsection (a) and in subsection (b) of this section, the reference to the "insurer" of the employer is added to clarify that the employer or its insurer is responsible for providing medical services and treatment under this section and to conform to similar provisions in this subtitle.

In subsection (c)(2) of this section, the word "modified" is deleted as unnecessary in light of the word "changed".

Defined terms: "Accidental injury" § 9-101

"Commission" § 9-101 "Compensation" § 9-101

"Covered employee" § 9-101

"Occupational disease" § 9-101

9-661. REPAIR OR REPLACEMENT OF EYEGLASSES AND PROSTHETIC APPLIANCES.

(A) IN GENERAL.

THE EMPLOYER OR ITS INSURER SHALL REPAIR OR REPLACE AN ARTIFICIAL EYE, LIMB, TOOTH OR OTHER PROSTHETIC APPLIANCE OR EYEGLASSES DAMAGED OR DESTROYED BECAUSE OF AN ACCIDENT DURING THE COURSE OF EMPLOYMENT.

(B) FAILURE TO REPAIR OR REPLACE.