

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

## **An Act Regarding Impairment of Health of a Correctional Employee Caused by Infectious Disease**

**Be it enacted by the People of the State of Maine as follows:**

**Sec. 1. 5 MRSA §17935** is enacted to read:

### **§ 17935. Presumption that injury received in line of duty**

Notwithstanding any other provision of law, a condition of impairment of health caused by an infectious disease resulting in total or partial disability or death of an employee of a correctional facility must, if that employee successfully passed a physical examination on entry into employment with the correctional facility or subsequently successfully passed a physical examination that failed to reveal any evidence of the condition, be presumed to have been received in the line of duty, unless the contrary is shown by competent evidence.

**Sec. 2. 5 MRSA §18535** is enacted to read:

### **§ 18535. Presumption that injury received in line of duty**

Notwithstanding any other provision of law, a condition of impairment of health caused by an infectious disease resulting in total or partial disability or death of an employee of a correctional facility must, if that employee successfully passed a physical examination on entry into employment with the correctional facility or subsequently successfully passed a physical examination that failed to reveal any evidence of the condition, be presumed to have been received in the line of duty, unless the contrary is shown by competent evidence.

## **SUMMARY**

This bill provides that, with respect to disability retirement benefits under the Maine Public Employees Retirement System, a condition of impairment of health caused by an infectious disease resulting in total or partial disability or death of an employee of a correctional facility must, if that employee successfully passed a physical examination on entry into employment with the correctional facility or subsequently successfully passed a physical examination that failed to reveal any evidence of the condition, be presumed to have been received in the line of duty, unless the contrary is shown by competent evidence.