

Mr. Philip Wagner, Executive Secretary, Employees Retirement System
(continued)

decision on the question of reopening. If the Board should find there is some basis as above set forth for reopening, a hearing would then be scheduled; however, if the Board finds there is no basis for reopening, the claimant must be so notified.

Very truly yours,

/s/ HUGO A. RICCIUTI
Acting City Solicitor

R/J/A

/s/ SHIRLEY B. JONES
Assistant City Solicitor

File No. 99151

December 9, 1958

Mr. John T. O'Malley
Executive Secretary
Baltimore City Fire Department
Gay and Lexington Streets

Re: Captain Herbert R. Ironmonger (Retired)

Dear Mr. O'Malley:

Since our opinion of November 17, 1958 advising you that Captain Ironmonger be paid for expenses, including a \$656.00 hospital bill, incurred as a result of his accidental disability, you have advised that the Fire Department has now received a bill from Mercy Hospital for these hospital expenses. Originally Blue Cross had paid this bill, but they cancelled their payment and charged Mercy Hospital for the same when they learned that the Fire Department, under its policy, would be obligated to pay for medical and hospital expenses resulting from accidental disability.

We understand from you that in accidental disability cases it is, in fact, the policy of the Fire Department to make such payment directly to the hospital involved, and the reason why payment was not made direct to the hospital in this instance is that the Fire Department was not sure at first whether or not the disability would