

# MAINE STATE LEGISLATURE

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ONE HUNDRED AND SIXTH LEGISLATURE

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Legislative Document

No. 1046

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S. P. 347

In Senate, February 22, 1973

Referred to the Committee on Labor. Sent down for concurrence and ordered printed.

HARRY N. STARBRANCH, Secretary

Presented by Senator Richardson of Cumberland.

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STATE OF MAINE

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IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SEVENTY-THREE

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**AN ACT** Requiring Employers to Coordinate with Other Parties Providing  
Vocational Rehabilitation Services to Injured Employees.

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

**Sec. 1. R. S., T. 39, § 52, amended.** The last paragraph of section 52 of Title 39 of the Revised Statutes is repealed and the following is enacted in place thereof:

Whenever there is any disagreement as to the proper costs of the services or aids, or the periods during which they shall be furnished, or as to whether there shall be any apportionment thereof, or as to the percentage of apportionment among the parties, any interested person may file a petition for award of vocational rehabilitation with the commission for the determination of such disputed issues; except, that if the Division of Vocational Rehabilitation or Division of Eye Care and Special Services of the Department of Health and Welfare has already commenced to provide such services or aids, and apportionment is sought by such divisions from the employer therefor, the Attorney General shall file on their behalf any necessary petitions before the commission in order that such services or aids are not delayed to the employee.

**Sec. 2. R. S., T. 39, § 106, amended.** Section 106 of Title 39 of the Revised Statutes is amended by adding at the end a new paragraph to read as follows:

Whenever the commission has referred a case to the Division of Vocational Rehabilitation or to the Division of Eye Care and Special Services of the Department of Health and Welfare, the employer shall thereafter cooperate and provide all reasonable assistance to those divisions in the matter of re-

habilitation of the injured employee. In connection therewith, the employer or its insurance carrier shall provide all medical reports and any other pertinent records concerning the employee's injury to the division upon request and, if such a request is refused, the penalty set forth in this section shall apply. Upon request of the employer or its insurance carrier, the division shall provide reports and records compiled concerning such case, including testing results and alternative proposals for the rehabilitation of the employee and, if such request is refused, the division shall be barred from proceeding under section 52 until such information is furnished.

#### STATEMENT OF FACT

It is the purpose of this bill to foster coordination and communication between an employer or its compensation carrier and the state agencies furnishing vocational rehabilitation services and to provide a procedure for resolving disputed issues between such parties without a delay in rehabilitation services to the employee.