

MAINE STATE LEGISLATURE

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ONE HUNDRED AND EIGHTH LEGISLATURE

Legislative Document

No. 1424

H. P. 1188

House of Representatives, April 4, 1977

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

EDWIN H. PERT, Clerk

Presented by Mr. Tierney of Lisbon Falls.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-SEVEN

**AN ACT to Authorize Educational Rehabilitation under the
Workmen's Compensation Statutes.**

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

Sec. 1. 39 MRSA § 52, first sentence and the 3rd sentence, as amended by PL 1975, c. 293, § 5, are further amended to read:

Whenever, because of the nature of such injury or the subsequent condition of the employee following such injury, it appears that vocational or educational rehabilitation is necessary and desirable to restore the injured employee to gainful employment, the employee shall be entitled to reasonable and proper rehabilitation service for a period not exceeding 52 weeks, which period may be extended for a further period not to exceed another 52 weeks if such extended period is found to be necessary and proper by any member of the commission.

Such vocational or educational rehabilitation service may be arranged in consultation with the Division of Vocational Rehabilitation, Department of Human Services, or in cases of blindness with the Division of Eye Care and Special Services of the Department of Human Services, or in cases of educational rehabilitation, with the Department of Educational and Cultural Services, as provided in section 106, subject to the following conditions and limitations:

Sec. 2. 39 MRSA § 52, last ¶ is amended by adding at the end the following new sentence:

The term educational rehabilitation includes post-secondary, college and university instruction.

Sec. 3. 39 MRSA § 54, last ¶, as amended by PL 1971, c. 325, is further amended to read:

Whenever a program of vocational or educational rehabilitation has been inaugurated, either by approved agreement or commission decree, the employer shall pay the injured employee, in addition to compensation, if he is totally or partially incapacitated, a sum not to exceed \$35 per week for sustenance and travel as may be determined by the commission during the period of such rehabilitation within the limitations as prescribed in this section and section 52.

STATEMENT OF FACT

This bill authorizes educational rehabilitation under the workmen's compensation statutes. It will give the Industrial Accident Commission the flexibility to provide technical, college or university instruction which will enable a person who has been injured on the job to regain or surpass his old job skills and to become a more productive worker either for his employer or for his community.