

MAINE STATE LEGISLATURE

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(Filing No. H-473)

STATE OF MAINE
HOUSE OF REPRESENTATIVES
108TH LEGISLATURE
FIRST REGULAR SESSION

HOUSE AMENDMENT "A" to H.P. 1373, L.D. 1576, Bill, "AN ACT to Provide for the Provisional Payment of Certain Disability Benefits Pending the Outcome of a Workmen's Compensation Application."

Amend the Bill by striking out everything after the enacting clause and inserting in its place the following:

'39 MRSA §111-A is enacted to read:

§111-A. Provisional payment of certain disability benefits

1. No delay of benefits. If an employee is due benefits from an employer under an insured disability plan or insured medical payments plan because of a personal injury or disease, the employer shall not delay or refuse payment of those benefits because the employee has filed a workmen's compensation claim based on the same personal injury or disease.

2. Repayment. If an employee has received benefits, as described in subsection 1, because of a personal injury or disease and has later prevailed on a workmen's compensation claim based on the same personal injury or disease, the value of all such benefits may be offset by the employer or respective insurance

carriers against the payments of workmen's compensation benefits, and, if not offset, the employee shall repay to the employer, within 30 days of receiving the initial payment of workmen's compensation benefits, the value of all the benefits received under subsection 1.

Statement of Fact

The purpose of this amendment is to make it clear that the reference to benefits in subsection 1 pertains to insured disability plans. In addition, the amendment allows an offset to avoid double payments of benefits.

Filed by Mr. Bustin of Augusta.

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6/2/77

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