

# MAINE STATE LEGISLATURE

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SECOND REGULAR SESSION

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ONE HUNDRED AND EIGHTH LEGISLATURE

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**Legislative Document**

**No. 1913**

H. P. 1872

Office of the Clerk of the House

The Committee on Labor suggested. Approved for introduction by the Legislative Council pursuant to Joint Rule 24.

EDWIN H. PERT, Clerk

Presented by Mr. Birt of East Millinocket.

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STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SEVENTY-EIGHT

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**AN ACT Concerning Filing of Claims for Occupational Deafness under the Workmen's  
Compensation Statutes.**

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

**39 MRSA § 193, sub-§ 8**, as enacted by PL 1967, c. 374, § 6, is amended to read:

**8. Filing of claims.** No claims for compensation for ~~occupational deafness~~ **permanent hearing impairment because of occupational deafness** may be filed until after 6 months' separation from the noisy work for the last employer in whose employment the employee was at any time during such employment exposed to harmful noise, and the last day of such period of separation from the noisy work shall be the date of disability.

STATEMENT OF FACT

This bill limits the statutory 6-month delay period for filing of workmen's compensation claims for occupational deafness to those cases involving permanent hearing impairment. The delay was originally intended to give a long enough period to decide whether or not the hearing loss was permanent.

However, in situations where the injured employee does not claim permanent impairment, this 6-month delay works a real hardship. The employee must be out of work because of his deafness in order to be eligible, but still must wait 6 months while he's out of work before he can file that claim.

This bill will permit the out-of-work employee to file a claim for occupational deafness without having to wait for 6 months, as long as he does not claim permanent impairedness.