

# MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

ONE HUNDRED AND TENTH LEGISLATURE

Legislative Document

No. 551

H. P. 500

House of Representatives, February 2, 1981

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

EDWIN H. PERT, Clerk

Presented by Representative J. Martin of Eagle Lake.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED AND EIGHTY-ONE

AN ACT to Encourage Training of Handicapped Workers.

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

Sec. 1. 39 MRSA § 52, 6th ¶, first sentence, as amended by PL 1977, c. 278, § 1, is 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~~ would materially assist the employee in regaining the earning capacity that he possessed before his injury, 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.

Sec. 2. 39 MRSA § 52, as last amended by PL 1979, c. 116, is further amended by adding at the end a new paragraph to read:

If the Workers' Compensation Commission determines that an employee engaging in any program of vocational or educational rehabilitation requires financial support during that rehabilitation, it shall award the employee compensation for total incapacity until rehabilitation has been completed.

## STATEMENT OF FACT

The purpose of this bill is to give financial support to those employees qualified for rehabilitation programs. It is believed that many individuals are now unable to pursue such programs, despite the benefits they would derive, because of the need to support themselves and their families during their rehabilitation. The bill also seeks to broaden the scope of rehabilitation by emphasizing that restitution of wage earning capacity is an important goal.