

MAINE STATE LEGISLATURE

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1 (After Deadline)

2 FIRST REGULAR SESSION
3

4 ONE HUNDRED AND ELEVENTH LEGISLATURE
5

6 Legislative Document

No. 1757

8 H.P. 1322

House of Representatives, June 10, 1983

9 Approved for introduction by a majority of the Legislative Council
10 pursuant to Joint Rule 27.

11 Under suspension of the rules, read twice and passed to be engrossed
without reference to committee, sent up for concurrence.

EDWIN H. PERT, Clerk

Presented by Representative Beaulieu of Portland.

12 Cosponsor: Senator Dutremble of York.

13 STATE OF MAINE
14

15 IN THE YEAR OF OUR LORD
16 NINETEEN HUNDRED AND EIGHTY-THREE
17

18 AN ACT to Improve the Evaluation of
19 Hearing Loss Under the Workers'
20 Compensation Act.
21

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

24 Sec. 1. 39 MRSA §193, sub-§3, as amended by PL
25 1979, c. 313, is further amended to read:

26 3. Determination of hearing loss. The percent of
27 hearing loss, for purposes of the determination of
28 compensation claims for occupational deafness, shall
29 be calculated as the average, in decibels, of the
30 thresholds of hearing for the frequencies of 500,
31 1,000 and 2,000 cycles per second. Hearing levels
32 shall be measured by means of pure-tone
33 air-conduction audiometric instruments calibrated in
34 accordance with American National Standards Institute
35 Standard S3-22-1976, Standards S3.6-1969-R 1973 and

1 S3.13-1972, (ANSI) or American Standards Association
2 Standard Z24.5, 1951 (ASA) and in an area with ambi-
3 ent noise level within the limits specified in Ameri-
4 ean Standards Association American National Standards
5 Institute Criteria for Background Noise in Audio-
6 metric Room Standard S3.1, 1960-R 1977. If the
7 losses of hearing average 25 decibels or less (ANSI)
8 or 15 decibels or less (ASA) in the 3 frequencies,
9 such losses of hearing shall not then constitute any
10 compensable hearing disability. If the losses of
11 hearing average 92 decibels or more (ANSI) or 82
12 decibels or more (ASA) in the 3 frequencies, then the
13 same shall constitute and be total or 100 percent
14 100% compensable hearing loss.

15 Sec. 2. 39 MRSA §193, sub-§5, as enacted by PL
16 1967, c. 374, §6, is amended to read:

17 5. Measurement of hearing impairment. In measur-
18 ing hearing impairment, the lowest measured losses in
19 each of the 3 frequencies shall be added together and
20 divided by 3 to determine the average decibel loss.
21 For every decibel of loss exceeding 15 decibels (ASA)
22 or 25 decibels (ANSI), an allowance of 1 1/2% shall
23 be made up to the maximum of 100%, which is reached
24 at 82 decibels (ASA) or 92 decibels (ANSI).

25 STATEMENT OF FACT

26 The purpose of this bill is to correlate the
27 standards for calibrating audiometric instruments set
28 by the American National Standards Institute with
29 those set by its predecessor organization, the Ameri-
30 can Standards Association and update the citations to
31 ANSI standards. It also adds the word "cycles" which
32 was mistakenly omitted from the present law.

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