

# MAINE STATE LEGISLATURE

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1 SECOND REGULAR SESSION  
2

3 ONE HUNDRED AND TWELFTH LEGISLATURE  
4

5 Legislative Document

No. 2098

6  
7 H.P. 1486

House of Representatives, February 28, 1986

8 Approved for introduction by a majority of the Legislative Council  
9 pursuant to Joint Rule 26.

Reference to the Committee on Labor suggested and ordered printed.

EDWIN H. PERT, Clerk

10 Presented by Speaker Martin of Eagle Lake.  
11

12 STATE OF MAINE  
13

14 IN THE YEAR OF OUR LORD  
15 NINETEEN HUNDRED AND EIGHTY-SIX  
16

17 AN ACT Relating to Medicaid and Other  
18 Services and Payments Pending Hearing  
19 and Decisions 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 §52, 4th ¶, as amended by PL  
25 1979, c. 116, is further amended to read:

26 In every case where any ~~of said~~ services or aids  
27 are ~~procured~~ required by the employee, it shall be  
28 his duty to see that the employer is given prompt notice  
29 ~~thereof~~ of the employee's requirement for those  
30 services or aids. The employer shall then make prompt  
31 payment ~~for same~~, provided said the costs were are  
32 necessary and adequate and the charges therefor reason-  
33 able; provided it shall be presumed that in a ju-  
34 risdiction having a socialized medical program, pay-  
35 ment of the costs will be borne by the medical pro-  
36 gram and will not be the responsibility of the em-

1 ployer under this section. The employer shall fur-  
2 nish artificial limbs, eyes, teeth, eyeglasses, hear-  
3 ing aids, orthopedic devices and other physical aids  
4 made necessary by ~~such~~ the injury and shall replace  
5 or renew the same when necessary from wear and tear  
6 or physical change of the employee. The employee or  
7 his counsel shall serve upon the employer or opposing  
8 counsel, within 7 days of the date of receipt by ~~such~~  
9 the employee or counsel, complete copies of any medi-  
10 cal reports or statements relating to any treatment  
11 or examination described in this section. The em-  
12 ployer, carrier or their counsel shall serve upon the  
13 employee or opposing counsel, within 7 days of the  
14 receipt by the employer, carrier or counsel, complete  
15 copies of any medical reports or statements relating  
16 to any treatment or examination alleged by the em-  
17 ployee or his counsel to be covered by this section.

18 Sec. 2. 39 MRSA §100, sub-§4, ¶B, as enacted by  
19 PL 1981, c. 514, §4, is further amended to read:

20 B. The employer or his insurance carrier files a  
21 certificate with the commission stating that:

22 (1) The employee has left the State for  
23 reasons other than returning to his perma-  
24 nent residence at the time of injury, unless  
25 the permanent resident is in a foreign  
26 country;

27 (2) The employee's whereabouts are unknown;  
28 or

29 (3) The employee has resumed work.

1

STATEMENT OF FACT

2           This bill requires advanced payment of medical  
3 and other bills for certain medical supplies and  
4 equipment. The bill also provides that employers are  
5 not liable for payments of costs of any employee  
6 whose permanent resident is in a foreign country or  
7 in a jurisdiction having a socialized medical pro-  
8 gram.

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