

MAINE STATE LEGISLATURE

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114th MAINE LEGISLATURE

FIRST REGULAR SESSION - 1989

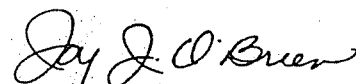
Legislative Document

No. 818

S.P. 313

In Senate, March 20, 1989

Reference to the Committee on Labor suggested and ordered printed.


JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator EMERSON of Penobscot.

STATE OF MAINE

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

An Act to Define the Compensation Period for Injuries Resulting in Partial Incapacity under the Workers' Compensation Act.



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

39 MRSA §55-B, first ¶, as enacted by PL 1987, c. 559, Pt. B, §30, is amended to read:

While the incapacity for work resulting from the injury is partial, the employer shall pay the injured employee a weekly compensation equal to $\frac{2}{3}$ the difference, due to the injury, between ~~his~~ the employee's average gross weekly wages, earning or salary before the injury and the weekly wages, earnings or salary which he the employee is able to earn after the injury, but not more than the maximum benefit under section 53-B. Payments under this section shall not continue for longer than 400 weeks after maximum medical improvement or 480 weeks from the date of injury, whichever is less.

STATEMENT OF FACT

Under current workers' compensation law, payments for partial incapacity may not continue for longer than 400 weeks after the injured worker has reached maximum medical improvement. This bill has the effect of limiting the period of maximum medical improvement to 80 weeks. Based on existing research, this proposed limit is intended to be benefit neutral, neither increasing nor decreasing system benefit costs. This limit is expected to reduce litigation costs and provide a more predictable environment for insurance rate setting.