

MAINE STATE LEGISLATURE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
114TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 678, L.D. 929, Bill, "An Act to Clarify the Payment of Medical Expenses under the Workers' Compensation Act"

Amend the bill by inserting after the enacting clause the following:

'Sec. 1. 39 MRSA §51-B, sub-§4, as amended by PL 1987, c. 559, Pt. B, §17, and c. 560, §3, is repealed and the following enacted in its place:

4. Compensation for impairment; compensation for medical expenses. Compensation for impairment under section 56-B shall not be paid before the date on which the injured employee reaches the stage of maximum medical improvement. That compensation is due and payable within 90 days after the employer has notice that maximum medical improvement has been attained. Compensation for medical expenses, aids and other services under section 52 is due and payable within 75 days from the date that a request for payment of these expenses is received.'

Further amend the bill in section 2, in subsection 7, in the 2nd paragraph, in the 2nd line (page 2, line 2 in L.D.) by striking out the following: "period" and inserting in its place the following: 'period or 75-day periods'

Further amend the bill in section 2, in subsection 7, in the 2nd paragraph in the 6th line from the end (page 2, line 23 in L.D.) by striking out the following: "90-day" and inserting in its place the following: '75-day'

Further amend the bill in section 2, in subsection 7, in the 2nd paragraph in the next to the last line (page 2, line 27 in L.D.) by inserting after the word "claimed" the following: 'and requires payment for those services'

Further amend the bill by renumbering the sections to read consecutively.

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Further amend the bill by inserting before the statement of
3 fact the following:

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FISCAL NOTE

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This bill may result in a reduction in future costs of
contracts with the State's workers' compensation 3rd-party
9 administrator due to the proposed streamlining and clarification
of procedures.'

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STATEMENT OF FACT

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This amendment reduces the time period provided for
employers and insurers to investigate an employee's claim for
17 medical expenses under the Workers' Compensation Act from 90 days
to 75 days. This will reduce problems that employees may
19 experience due to late payment of medical expenses incurred in
treatment of the employee's work-related injury. The reduction
21 should not seriously harm an employer's or insurer's ability to
investigate the medical claims since the bill clarifies that the
23 employer or insurer does not accept the compensability of the
underlying injury by paying medical expenses associated with the
25 claim if no lost time results from the injury. The amendment
also clarifies that the 75-day period does not begin until the
27 medical bill is actually received by an employer or insurer and
that an employer must pay for any medical services for which the
29 employer does not file a notice of controversy within the 75-day
period. Finally, the amendment adds a fiscal note to the bill.

Reported by the Committee on Labor
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House
5/19/89 (Filing No. H-239)