

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)



# 114th MAINE LEGISLATURE

## SECOND REGULAR SESSION - 1990

---

Legislative Document

No. 1901

---

S.P. 726

In Senate, December 12, 1989

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

Received by the Secretary of the Senate on December 12, 1989. Referred to the Committee on Labor and 1,600 ordered printed pursuant to Joint Rule 14.

A handwritten signature in cursive script, reading 'Joy J. O'Brien'.

JOY J. O'BRIEN  
Secretary of the Senate

Presented by Senator BUSTIN of Kennebec.

---

STATE OF MAINE

---

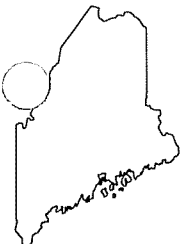
IN THE YEAR OF OUR LORD  
NINETEEN HUNDRED AND NINETY

---

An Act Related to Rehabilitation Providers.

---

(EMERGENCY)



2           **Emergency preamble.** Whereas, Acts of the Legislature do not  
become effective until 90 days after adjournment unless enacted  
as emergencies; and

4  
6           Whereas, many of the State's disabled citizens require the  
services of rehabilitation counselors; and

8           Whereas, these counselors may need to request the services  
of additional professionals if their clients are to return to or  
10 be able to accept appropriate employment; and

12           Whereas, the laws governing the provision of a variety of  
professional services are currently unclear; and

14  
16           Whereas, unless the law is clarified immediately, the  
ability of many disabled persons to recover and return to work  
will be delayed or impaired; and

18  
20           Whereas, in the judgment of the Legislature, these facts  
create an emergency within the meaning of the Constitution of  
Maine and require the following legislation as immediately  
22 necessary for the preservation of the public peace, health and  
safety; now, therefore,

24  
26           **Be it enacted by the People of the State of Maine as follows:**

28           **39 MRSA §83, sub-§3, ¶D** is enacted to read:

30           D. The provider of rehabilitation services may, in the  
provider's discretion, refer the employee's case to outside  
rehabilitation resources for particular services requiring  
specific expertise including, but not limited to,  
psychological testing, vocational evaluation, job  
development and placement. The rehabilitation provider  
retains exclusive responsibility for the supervision of the  
employee's rehabilitation plan and the services provided,  
and must notify the insurer of the referral costs. All such  
services referred to an outside rehabilitation resource must  
be expressly indicated on the rehabilitation plan and be  
agreed to by the client's attorney when applicable. Failure  
to indicate these services on the rehabilitation plan and to  
obtain the required agreements will render the costs of  
those services nonrecoverable.

44  
46           **Emergency clause.** In view of the emergency cited in the  
preamble, this Act shall take effect when approved.

## STATEMENT OF FACT

2

4        This bill allows providers of vocational rehabilitation  
services to refer clients' cases to other rehabilitation  
resources when appropriate.

6