

MAINE STATE LEGISLATURE

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115th MAINE LEGISLATURE

FIRST REGULAR SESSION-1991

Legislative Document

No. 390

H.P. 270

House of Representatives, February 6, 1991

Reference to the Committee on Labor suggested and ordered printed.

A handwritten signature in cursive script that reads "Ed Pert".

EDWIN H. PERT, Clerk

Presented by Representative LUTHER of Mexico.

Cosponsored by Representative McKEEN of Windham, Senator MILLS of Oxford and Senator DUTREMBLE of York.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND NINETY-ONE

**An Act to Encourage Prompt Resolution of Workers' Compensation
Cases.**



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

4 Sec. 1. 24-A MRSA §1858 is enacted to read:

6 §1858. Limitation on number of workers' compensation cases

8 Each adjuster is limited to 135 open cases pending under the
10 Workers' Compensation Act at any time. A case is considered open
12 when it is accepted by the adjuster and remains open until the
14 adjuster has finished all work on the case.

16 1. Audit by Bureau of Labor Standards. The Bureau of Labor
18 Standards shall audit workers' compensation insurance companies
20 and adjusters to determine compliance with this section.

22 2. Job protection. An adjuster who reports or whose
24 records reveal more than 135 open workers' compensation cases and
26 who fulfills the requirements of the Whistleblowers' Protection
28 Act is protected by that Act.

30 3. Forfeiture for noncompliance. For each open workers'
32 compensation case in excess of the limit established in
34 subsection 1, the Bureau of Labor Standards shall impose on the
36 insurance company involved in the case a forfeiture of \$1,000
38 payable to the State. This forfeiture is recoverable in a civil
40 action.

28 Sec. 2. Effective date. This Act takes effect on January 1,
30 1992.

32 STATEMENT OF FACT

34 In order to encourage the prompt resolution of workers'
36 compensation cases, this bill establishes a limit of 135 open
38 workers' compensation cases per insurance adjuster. Auditing and
40 enforcement is done by the Bureau of Labor Standards. A \$1,000
penalty per case is imposed upon the insurance company involved
in any case above the limit.