

MAINE STATE LEGISLATURE

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115th MAINE LEGISLATURE

FIRST REGULAR SESSION-1991

Legislative Document

No. 503

S.P. 194

In Senate, February 11, 1991

Reference to the Committee on Labor suggested and ordered printed.

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator BUSTIN of Kennebec

Cosponsored by Representative FARNSWORTH of Hallowell, Senator DUTREMBLE of York and Representative RAND of Portland.

STATE OF MAINE

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

An Act Related to Workers' Compensation Evaluations.



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

2
39 MRSA §100, sub-§5, as enacted by PL 1981, c. 514, §4, is
4 amended to read:

6 5. Medical examination. Upon the request of the
7 petitioner, the commission shall order the employee to submit to
8 examination by an impartial physician or surgeon designated by
9 the commission from the geographical area where the employee
10 resides. The physician or surgeon may not have any prior
11 knowledge of the case or have examined the employee at an earlier
12 time in connection with the case. The fee for the examination
13 shall must be paid by the employer. Payment of compensation may
14 be decreased or suspended by the commissioner pending final
15 decision on the petition if:

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17 A. The physician or surgeon certifies to the commission
18 after examination that in his the physician's or surgeon's
19 opinion the employee is able to resume work; or

20 B. The employee refuses to submit to an examination.
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27 This bill ensures that a medical evaluation in a worker's
28 compensation case is performed by a physician or surgeon who has
29 no prior knowledge of the case or involvement with any of the
30 parties in the case.