

MAINE STATE LEGISLATURE

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115th MAINE LEGISLATURE

FIRST REGULAR SESSION-1991

Legislative Document

No. 811

S.P. 302

In Senate, February 26, 1991

Reference to the Committee on Banking and Insurance 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 EMERSON of Penobscot

Cosponsored by Representative GOULD of Greenville and Representative BENNETT of Norway.

STATE OF MAINE

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

**An Act to Modify the Provision Regarding Compensation for Partial
Incapacity under the Workers' Compensation Act.**

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

2
39 MRSA §55-B, first ¶, as enacted by PL 1987, c. 559, Pt. B,
4 §30, is amended to read:

6 While the incapacity for work resulting from the injury is
7 partial, the employer shall pay the injured employee a weekly
8 compensation equal to $\frac{2}{3}$ the difference, due to the injury,
9 between his the employee's average gross weekly wages, earning
10 earnings or salary before the injury and the weekly wages,
11 earnings or salary ~~which he~~ the employee is able to earn after
12 the injury, but not more than the maximum benefit under section
13 53-B. Payments under this section shall ~~may~~ not continue for
14 longer than 400 weeks after maximum medical improvement or 13
15 weeks from the date of injury, whichever is less.

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18 STATEMENT OF FACT

19 Under current workers' compensation law, payments of partial
20 incapacity may not continue for longer than 400 weeks after the
21 injured worker has reached maximum medical improvement. This
22 bill limits the period of maximum medical improvement to 13
23 weeks. This limit is expected to reduce litigation costs and
24 provide a more predictable environment for insurance rate setting.