

# MAINE STATE LEGISLATURE

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# 115th MAINE LEGISLATURE

## FIRST REGULAR SESSION-1991

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Legislative Document

No. 902

H.P. 632

House of Representatives, February 28, 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 BUTLAND of Cumberland.

Cosponsored by Representative PINEAU of Jay, Representative HASTINGS of Fryeburg and Representative REED of Falmouth.

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STATE OF MAINE

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

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An Act to Provide for Medical Cost Containment in Workers'  
Compensation.

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

4                   **39 MRSA §52, first ¶, as amended by PL 1981, c. 93, is further**  
amended to read:

6                   An employee sustaining a personal injury arising out of and  
8                   in the course of his employment or is disabled by occupational  
disease ~~shall-be~~ is entitled to reasonable and proper medical, or  
10                   surgical and hospital services, nursing, medicines, and  
mechanical, or surgical aids, as needed, paid for by the  
12                   employer. A pharmacist or medical provider shall use generic  
drugs in dispensing medicines. An injured employee ~~shall-have~~  
14                   has the right to make his the employee's own selection of a  
physician or surgeon authorized to practice as such under the  
16                   laws of the State. The injured employee may make the initial  
selection and subsequently may change physician or surgeon once  
without approval from a commissioner. If the injured employee  
18                   selects another physician or surgeon after the subsequent change,  
the insurer or self-insured employer may require approval from a  
20                   commissioner.

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24                   **STATEMENT OF FACT**

26                   This bill realizes workers' compensation cost savings by  
28                   requiring the use of generic drugs and by limiting  
overutilization associated with the practice of doctor shopping.