

# MAINE STATE LEGISLATURE

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L.D. 844

DATE: 5-1-01

(Filing No. H-244)

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14 STATE OF MAINE  
16 HOUSE OF REPRESENTATIVES  
18 120TH LEGISLATURE  
20 FIRST REGULAR SESSION

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COMMITTEE AMENDMENT "A" to H.P. 644, L.D. 844, Bill, "An  
Act to Classify Employer-provided Medical Treatment as a Payment  
under the Maine Workers' Compensation Act of 1992"

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Amend the bill by striking out everything after the enacting  
clause and before the summary and inserting in its place the  
following:

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'Sec. 1. 39-A MRSA §306, sub-§2, ¶A is enacted to read:

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A. The provision of medical care for an injury or illness  
by or under the supervision of a health care provider  
employed by, or under contract with, the employer is a  
payment of benefits with respect to that injury or illness  
if:

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(1) Care was provided for that injury or illness on 6  
or more occasions in the 12-month period after the  
initial treatment; and

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(2) The employer or the health care provider knew or  
should have known that the injury or illness was  
work-related.

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For the purposes of this paragraph, "health care provider"  
has the same meaning as provided in rules of the board.

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**Sec. 2. Application.** This Act applies to all injuries and  
illnesses, regardless of when they occurred.'

**COMMITTEE AMENDMENT**

**SUMMARY**

This amendment rewrites the language of the bill to make it more specific. It clarifies that an employer has made a payment of benefits with respect to an injury or illness if:

1. The employee is treated by an in-house health care provider;

2. The treatment continues on at least 6 occasions within a year of the first treatment; and

3. The employer or the provider knew or should have known that the injury or illness was work-related.

Classifying this type of treatment as a payment extends the period within which the employee may file a petition for benefits from 2 years from the date of injury to 6 years from the date of the last payment made voluntarily by the employer.