

MAINE STATE LEGISLATURE

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LABOR

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
120TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 757, L.D. 976, Bill, "An Act Concerning Workers' Compensation Examinations"

Amend the bill by striking out the title and substituting the following:

'An Act Concerning Workers' Compensation Health Care Providers'

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

'Sec. 1. 39-A MRSA §206, sub-§11, as enacted by PL 1991, c. 885, Pt. A, §8 and affected by §§9 to 11, is amended to read:

11. Generic drugs. Providers shall prescribe generic drugs whenever medically acceptable for the treatment of an injury or disease for which compensation is claimed. An employee shall purchase generic drugs for the treatment of an injury or disease for which compensation is claimed if the prescribing physician provider indicates that generic drugs may be used and if generic drugs are available at the time and place of purchase. If an employee purchases a nongeneric drug when the prescribing physician provider has indicated that a generic drug may be used and a generic drug is available at the time and place of purchase, the insurer or self-insurer is required to reimburse the employee for the cost of the generic drug only. For purposes of this section, "generic drug" has the same meaning found in Title 32, section 13702, subsection 11.'

SUMMARY

This amendment replaces the bill. Workers' Compensation

COMMITTEE AMENDMENT

COMMITTEE AMENDMENT "A" to H.P. 757, L.D. 976

2 Board rules allow for reimbursement for the services of nurse
practitioners and physician's assistants who treat workers'
4 compensation injuries and illnesses; therefore, the law need not
be amended to provide for this reimbursement. The bill as
6 drafted would have allowed nurse practitioners and physician's
assistants to give 2nd opinions in workers' compensation cases.
8 The amendment cleans up one section of the law relating to
prescribing of drugs to recognize the fact that nurse
practitioners as well as physicians are authorized under Maine
10 law to prescribe drugs.