

MAINE STATE LEGISLATURE

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120th MAINE LEGISLATURE

FIRST REGULAR SESSION-2001

Legislative Document

No. 1311

S.P. 405

In Senate, March 5, 2001

**An Act to Amend the Workers' Compensation Laws Regarding
Contracts for Services to Administer Reimbursement Requests.**

Reported by Senator Edmonds for the Workers' Compensation Commission pursuant to the Maine Revised Statutes, Title 39-A, section 152, subsection 11.

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

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

2 **Sec. 1. 39-A MRSA §355, sub-§13**, as enacted by PL 1991, c.
4 885, Pt. A, §8 and affected by §§9 to 11, is repealed.

6 **Sec. 2. 39-A MRSA §355-A** is enacted to read:

8 **§355-A. Employment Rehabilitation Fund reimbursements**

10 The Employment Rehabilitation Fund, established in section
12 355 and referred to in this section as the "fund," must be used
14 to reimburse employers, insurers and group self-insurers for
their payments of compensation to employees under section 213,
subsections 3 and 4.

16 **1. Employment rehabilitation fund reimbursement program.**
18 The board shall contract for the services of an employment
20 rehabilitation fund reimbursement program, referred to in this
22 section as the "program." The program shall approve or deny
requests for reimbursement pursuant to section 213, subsections 3
and 4; obtain any necessary legal representation for claims for
reimbursement pursuant to section 213, subsections 3 and 4; and
perform other functions that are required by the board.

24 **2. Employment Rehabilitation Fund Oversight Committee.** The
26 board shall create the Employment Rehabilitation Fund Oversight
28 Committee, referred to in this section as the "committee," to
monitor the performance of the program and make recommendations
to the board with respect to the administration of the program.
30 The committee recommendations must include, but not be limited
to, recommendations regarding contracting for services with a
32 program and the performance of the program during the term of the
contract.

34 **A.** The committee is composed of one member of the board
36 representing labor, one member of the board representing
38 management, one member appointed by the Maine Chamber of
Commerce and Industry and one member appointed by the Maine
AFL-CIO.

40 **B.** A member of the committee is not liable in a civil
42 action for any act performed in good faith in the execution
of duties as a member of the committee.

44 **C.** A member of the committee is entitled to a per diem of
46 \$100 per day. Members of the committee are entitled to
48 receive reimbursement for their actual necessary cash
expenses while on official business of the board. Salary
50 and expenses paid pursuant to this paragraph must be made
from the fund.

