

MAINE STATE LEGISLATURE

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L.D. 510

DATE: 4-9-03

(Filing No. H-107)

MAJORITY
LABOR

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
121ST LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 395, L.D. 510, Bill, "An Act To Reimburse Employees for Attorney's Fees and Costs When Forced To Pursue Petitions for Payment of Medical Services"

Amend the bill by inserting after section 1 the following:

'Sec. 2. 39-A MRSA §325, sub-§3, as enacted by PL 1991, c. 885, Pt. A, §8 and affected by §§9 to 11, is amended to read:

3. Rules. The board shall adopt rules to prescribe maximum attorney's fees and the manner in which the amount is determined and paid by the employee. The Except for fees paid under section 318, the maximum attorney's fees prescribed by the board in a case tried to completion may not exceed 30% of the benefits accrued, after deducting reasonable expenses incurred on behalf of the employee, or be based on a weekly benefit amount after coordination that is higher than 2/3 of the state average weekly wage at the time of injury. The board may by rule allow attorney's fees to be increased above or decreased below the amount specified in the rule when in the discretion of the board that action is determined to be appropriate.'

SUMMARY

This amendment clarifies that attorneys are not prohibited from accepting fees for representing a claimant seeking payment of medical expenses when the employer has unreasonably contested

COMMITTEE AMENDMENT

Ref

COMMITTEE AMENDMENT "A" to H.P. 395, L.D. 510

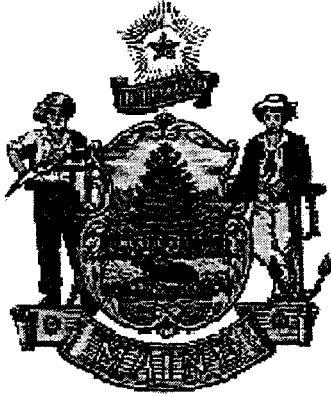
2 the payment of those expenses. It provides that the maximum fee
based on benefits accrued and weekly benefit amounts does not
4 apply to fees collected for recovery of medical benefits.

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FISCAL NOTE REQUIRED
(See attached)

COMMITTEE AMENDMENT

**121st Maine Legislature
Office of Fiscal and Program Review**



LD 510

**An Act To Reimburse Employees for Attorney's Fees and Costs When
Forced To Pursue Petitions for Payment of Medical Services**

LR 0430(02)

Fiscal Note for Bill as Amended by Committee Amendment " "

Committee: Labor

Fiscal Note Required: Yes

Fiscal Note

Potential current biennium cost increase - General Fund

Fiscal Detail and Notes

This requirement may result in additional costs to the State. The amount cannot be determined at this time and will depend on the number of rulings that require the State to reimburse an employee for reasonable attorney's fees and costs in obtaining medical benefits.