

MAINE STATE LEGISLATURE

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LABOR

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**STATE OF MAINE
SENATE
122ND LEGISLATURE
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT "A" to S.P. 97, L.D. 302, Bill, "An Act To Encourage Parties To Agree to the Selection of Independent Medical Examiners in Workers' Compensation Cases"

Amend the bill by inserting after the enacting clause and before section 1 the following:

Sec. 1. 39-A MRSA §312, sub-§2, as enacted by PL 1991, c. 885, Pt. A, §8 and affected by §§9 to 11, is amended to read:

2. Duties. An independent medical examiner shall render medical findings on the medical condition of an employee and related issues as specified under this section. The independent medical examiner in a case may not be the employee's treating health care provider and may not have treated the employee with respect to the injury for which the claim is being made or the benefits are being paid. Nothing in this subsection precludes the selection of a provider authorized to receive reimbursement under section 206 to serve in the capacity of an independent medical examiner. --A- Unless agreed upon by the parties, a physician who has examined an employee at the request of an insurance company, employer or employee in accordance with section 207 during the previous 52 weeks is not eligible to serve as an independent medical examiner.

Further amend the bill by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.

COMMITTEE AMENDMENT

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SUMMARY

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6 This amendment allows a physician who has examined an
employee at the request of an insurance company, employer or
8 employee during the previous 52 weeks to serve as an independent
medical examiner if agreed upon by the parties to the workers'
compensation claim.