

MAINE STATE LEGISLATURE

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ADS

L.D. 1329

DATE: 5.16.05

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LABOR

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STATE OF MAINE
SENATE
122ND LEGISLATURE
FIRST SPECIAL SESSION

COMMITTEE AMENDMENT 'A' to S.P. 456, L.D. 1329, Bill, 'An Act To Require the Workers' Compensation Board To Use the 5th Edition 'Guides to the Evaluation of Permanent Impairment' in Assessing Workers' Compensation Injuries Involving the Spinal Column'

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

'Resolve, Directing the Workers' Compensation Board To Consider Adoption of the 'Guides to the Evaluation of Permanent Impairment,' 5th Edition, in Assessing Workers' Compensation Injuries'

Further amend the bill by striking out everything after the title and before the summary and inserting in its place the following:

'Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, adoption of the 5th edition of the 'Guides to the Evaluation of Permanent Impairment' could have considerable significance to injured workers, employers and insurers in determining workers' compensation benefits and should be considered as soon as possible; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore, be it

COMMITTEE AMENDMENT

RES.

Sec. 1. Workers' Compensation Board directed to consider adoption of 5th edition of "Guides to the Evaluation of Permanent Impairment."

Resolved: That the Workers' Compensation Board shall consider adoption of the 5th edition of "Guides to the Evaluation of Permanent Impairment" as impairment guidelines pursuant to the Maine Revised Statutes, Title 39-A, section 153, subsection 8; and be it further

Sec. 2. Reporting date established. Resolved: That the Workers'

Compensation Board shall report its findings to the Joint Standing Committee on Labor by January 15, 2006, including the board's determination of whether the 5th edition of "Guides to the Evaluation of Permanent Impairment" should be adopted and, if so, whether the 5th edition has been adopted by board rule; and be it further

Sec. 3. Authority of Joint Standing Committee on Labor to report out legislation. Resolved: That, following receipt and review of the

Workers' Compensation Board's report under section 2, the Joint Standing Committee on Labor may report out legislation related to the report to the Second Regular Session of the 122nd Legislature.

Emergency clause. In view of the emergency cited in the preamble, this resolve takes effect when approved.'

SUMMARY

This amendment replaces the bill, changes the title and adds an emergency preamble and emergency clause. The amendment is a resolve directing the Workers' Compensation Board to consider adoption of the 5th edition of "Guides to the Evaluation of Permanent Impairment" as impairment guidelines and to report to the Joint Standing Committee on Labor by January 15, 2006 its determination of whether the 5th edition should be adopted and, if so, whether it has been adopted by board rule. The resolve also grants the committee authority to report out legislation to the Second Regular Session of the 122nd Legislature related to the board's report.

FISCAL NOTE REQUIRED
(See attached)



122nd MAINE LEGISLATURE

LD 1329

LR 0905(02)

An Act To Require the Workers' Compensation Board To Use the 5th Edition "Guides to the Evaluation of Permanent Impairment" in Assessing Workers' Compensation Injuries Involving the Spinal Column

Fiscal Note for Bill as Amended by Committee Amendment "A"

Committee: Labor

Fiscal Note Required: Yes

Fiscal Note

Minor cost increase - Other Special Revenue Funds

Fiscal Detail and Notes

Additional costs to the Workers' Compensation Board can be absorbed utilizing existing budgeted resources.