

# MAINE STATE LEGISLATURE

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# 123rd MAINE LEGISLATURE

## FIRST REGULAR SESSION-2007

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Legislative Document

No. 1107

S.P. 359

March 6, 2007

### **An Act To Promote Compliance with the Workers' Compensation Laws**

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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

Presented by President EDMONDS of Cumberland.  
Cosponsored by Senator: STRIMLING of Cumberland.

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

2 **Sec. 1. 39-A MRSA §359, sub-§2**, as enacted by PL 1991, c. 885, Pt. A, §8 and  
3 affected by §§9 to 11, is amended to read:

4 **2. Penalty.** In addition to any other penalty assessment permitted under this Act, the  
5 board may assess civil penalties not to exceed ~~\$10,000~~ \$100,000 upon finding, after  
6 hearing, that an employer, insurer or 3rd-party administrator for an employer has engaged  
7 in a pattern of questionable claims-handling techniques or repeated unreasonably  
8 contested claims. The board shall certify its findings to the Superintendent of Insurance,  
9 who shall take appropriate action so as to bring any such practices to a halt. This  
10 certification by the board is exempt from the provisions of the Maine Administrative  
11 Procedure Act.

12 **SUMMARY**

13 This bill raises the penalty amount from \$10,000 to \$100,000 for any employer,  
14 insurer or 3rd-party administrator for an employer who has engaged in a pattern of  
15 questionable workers' compensation claims-handling techniques or repeated unreasonably  
16 contested claims.