

# MAINE STATE LEGISLATURE

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# 123rd MAINE LEGISLATURE

## FIRST REGULAR SESSION-2007

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Legislative Document

No. 1691

S.P. 598

March 23, 2007

### An Act To Improve the Independent Medical Examiner System

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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 Senators: BRYANT of Oxford, STRIMLING of Cumberland.

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

2 **Sec. 1. 39-A MRSA §312, sub-§3**, as enacted by PL 1991, c. 885, Pt. A, §8 and  
3 as affected by §§9 to 11, is amended to read:

4 **3. Appointment.** The board may order an examination by an independent medical  
5 examiner only if both parties to a dispute request such an examination. If the parties to a  
6 dispute can not agree on an independent medical examiner of their own choosing, the  
7 board shall assign an independent medical examiner from the list of qualified examiners  
8 to render medical findings in any dispute relating to the medical condition of a claimant,  
9 including but not limited to disputes that involve the employee's medical condition,  
10 improvement or treatment, degree of impairment or ability to return to work.

11 **SUMMARY**

12 Currently, either party to a dispute under the laws governing workers' compensation  
13 may request that an independent medical examiner be appointed by the Workers'  
14 Compensation Board. This bill amends the law to authorize the appointment of an  
15 independent medical examiner only at the request of both parties to the dispute.