

MAINE STATE LEGISLATURE

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EIGHTY - SEVENTH LEGISLATURE

Legislative Document

No. 69

H. P. 200

House of Representatives, January 17, 1935.

Referred to Committee on Judiciary, sent up for concurrence and 500 copies ordered printed.

HARVEY R. PEASE, Clerk.

Presented by Mr. Hill of South Portland.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
THIRTY-FIVE

AN ACT Relating to the Procurement of Medical Services, Physicians and Surgeons for Injured Employees under the Workmen's Compensation Act.

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

R. S., c. 55, § 9, amended. Section 9 of chapter 55 of the revised statutes is hereby amended to read as follows:

'Sec. 9. Employee entitled to limited medical services; selection of own physician; cost, how determined. During the first 30 days after an injury aforesaid the employee shall be entitled to reasonable and proper medical, surgical and hospital services, nursing, medicines and mechanical surgical aids when they are needed. The amount of such services and aids shall not exceed \$100 unless a longer period or a greater sum is allowed by the commission, which in its discretion it may allow when the nature of the injury or the process of recovery requires it.

Upon knowledge or notice of such injury the employer shall promptly furnish to the employee the services and aids aforesaid. In case however the employer fails to furnish any of said services or aids, **or in cases reasonably requiring a surgical operation in a hospital**, or in case of emergency or other justifiable cause, the employee may procure said services or aids and the commission may order the employer to pay for the same provided

that they were necessary and adequate, and the charges therefor are reasonable. In every case where any of said services or aids are procured by the employee, it shall be his duty to see that the employer is given prompt notice thereof. The commission in its discretion may also require the employer to furnish to the injured employee, but not more than once each for an injury aforesaid, artificial limbs, eyes and teeth made necessary by such injury.

Whenever there is any disagreement as to the proper costs of the services or aids aforesaid, or as to the apportionment thereof among the parties, any interested person may file a petition with the commission setting forth the facts. The commission shall have exclusive jurisdiction to determine such costs and such apportionment, subject to appeal as hereinafter provided, unless the employer or employee procuring such services or aids and the person or persons supplying the same shall by written contract agree otherwise.'