

MAINE STATE LEGISLATURE

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N I N E T Y - S E V E N T H L E G I S L A T U R E

Legislative Document

No. 499

S. P. 205

In Senate, February 8, 1955.

Referred to Committee on Labor. Sent down for concurrence and ordered printed.

CHESTER T. WINSLOW, Secretary.

Presented by Senator Lessard of Androscoggin.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FIFTY-FIVE

AN ACT Relating to Medical Services under the Workmen's Compensation Act.

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

R. S., c. 31, § 9, amended. Section 9 of chapter 31 of the revised statutes is hereby amended to read as follows :

'Sec 9. Employee entitled to limited medical services; selection of own physician; cost. 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 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 employee shall have the right to select the physician by whom, and the hospital in which, he desires to be treated, and the employer shall become liable to such physician or hospital for the reasonable value of the services or treatment so rendered; provided further that the employer shall not become liable to the employee or the physician, or hospital for the services or~~

treatment so rendered unless such physician or hospital shall give written notice to the employer within 7 days after the beginning of such services or treatment that he or they have been so selected, and shall, in writing, present his or their claim to the employer for the payment of such services or treatment within 3 months after the conclusion 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. In case artificial limbs, eyes and teeth, in use by an employee at the time of the accident as substitutes for natural parts of the body, are themselves injured or destroyed, they shall be repaired or replaced by the employer.

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 for the determination thereof.

The Commission shall have authority to order a change of physician when in its judgment such change is desirable or necessary.'