

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. 1516

S. P. 560

In Senate, April 27, 1955.

Reported by Senator St. Pierre from Committee on Labor and printed under
Joint Rules No. 10.

CHESTER T. WINSLOW, Secretary.

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,~~ together with the expenses necessarily incidental to such services. The employee may select a physician other than the one provided by the employer; and in case he shall be treated by a physician of his own selection, or where in case of emergency or for other justifiable cause a physician other than the one provided by the employer is called in to treat the injured employee, the reasonable cost of the physician's services shall be paid by the employer, subject to the approval of the Commission. Such approval shall be granted only if the Commission finds that the employee was so treated by such physician or that there

was such emergency or justifiable cause, and in all cases that the services were adequate and reasonable and the charges reasonable. The Commission shall have authority to order a change of physician when in its judgment such change is desirable or necessary. 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. 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.