

# MAINE STATE LEGISLATURE

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**STATE OF MAINE  
115TH LEGISLATURE**

**FIRST REGULAR SESSION  
AND  
FIRST SPECIAL SESSION**

**BILL SUMMARIES  
JOINT STANDING COMMITTEE  
ON  
BANKING AND INSURANCE**

**AUGUST 1991**

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**ONE HUNDRED AND FIFTEENTH LEGISLATURE  
FIRST REGULAR SESSION  
AND  
FIRST SPECIAL SESSION  
JOINT STANDING COMMITTEE  
BILL SUMMARIES  
AUGUST 1991**

This document is a compilation of the bill summaries prepared by this office for the Joint Standing Committees and Joint Select Committees of the Maine Legislature. The volume is organized alphabetically by committee; within each committee, the summaries are arranged by LD number. A subject index is provided at the beginning of each committee's summaries.

All adopted amendments are listed, by paper number (e.g., H - 584 or S - 222), together with the sponsor for floor amendments. Final action on each bill is listed to the right of the title. Various types of final action are abbreviated as follows:

<b>PUBLIC XXX</b>	<i>Chapter # of enacted Public Law</i>
<b>P&amp;S XXX</b>	<i>Chapter # of enacted Private &amp; Special Law</i>
<b>RESOLVE XXX</b>	<i>Chapter # of enacted Resolve</i>
<b>CON RES XXX</b>	<i>Chapter # of Constitutional Resolution passed by both Houses</i>
<b>EMERGENCY</b>	<i>Enacted law takes effect sooner than 90 days</i>
<b>CARRIED OVER</b>	<i>Bill carried over to 2nd Session</i>
<b>FAILED EMERGENCY ENACTMENT</b>	<i>Bill failed to get 2/3 vote</i>
<b>ONTP</b>	<i>Ought Not to Pass report accepted</i>
<b>LVWD</b>	<i>Leave to Withdraw report accepted</i>
<b>INDEF PP</b>	<i>Bill Indefinitely Postponed</i>
<b>DIED BETWEEN BODIES</b>	<i>House &amp; Senate disagree; bill died</i>
<b>VETO SUSTAINED</b>	<i>Legislature failed to override Governor's Veto</i>
<b>UNSIGNED</b>	<i>Not signed by Governor within 10 days</i>
<b>DIED ON ADJOURNMENT</b>	<i>Action incomplete when 1st session ended</i>

These summaries were prepared by the analyst or analysts assigned to the committee. But, this document was produced by the efforts of all the office staff, including secretaries: Charlene Raymond and Valarie Parlin, and especially Laurette Knox who coordinated preparation of the overall document.

If you have any suggestions or comments on these summaries, please let us know.

**An Act to Make Changes in the Workers' Compensation System  
(Reported by the Majority from the Committees on Labor and  
Banking and Insurance pursuant to HP 1382)**

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
		H-766 MAJ REP
		H-768 MCKEEN
		H-769 MICHAUD
		H-770 MITCHELL E
		H-774 MITCHELL E

**SUMMARY**

This bill makes changes in workers' compensation law. It establishes a medical coordinator and a system of independent medical examiners. It caps attorneys' fees in lump sum settlements. It formalizes the procedures for filing medical reports and specifies the penalties for failure to file in a timely fashion. In permanent partial incapacity cases, it substitutes 520 weeks of benefits for 400 weeks after maximum medical improvement. It allocates money for workplace health and safety training. Rulemaking is provided regarding the duties of insurance adjusters, credits for qualifying safety programs dividends in the safety pool and credits for expanding the percentage of business in the voluntary market. Medical expense deductibles must be offered to smaller employers and are mandatory for larger employers.

Committee Amendment "A" (H-766) deletes the nonduplication of benefits provision.

House Amendment "A" (H-768) disqualifies for the position of independent medical examiner a physician who has examined an employee at the request of an insurance company or employers under workers' compensation law in the previous 52 weeks.

House Amendment "B" (H-769) requires an employee to pay for the work search expenses of the employee looking for work after the employer has provided a section 55-B list of positions.

House Amendment "C" (H-770) provides that the insurance provisions on modification factors, safety consultations and credits and other workers' compensation insurance changes take effect on 1/1/92. All provisions not otherwise provided for all apply to injuries or after the effective date of the act.

House Amendment "G" (H-774) amends 39 M RSA §52-B to clarify that the fee schedule applies to physicians.

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