

SENATE No. 63

To accompany the petition of Charles G. Miles that insurers of employees injured in industrial accidents and insurers under the compulsory motor vehicle liability insurance law be required to pay fees directly to physicians in certain cases. Joint Judiciary.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Thirty-Four.

An Act requiring Insurers of Employees injured in Industrial Accidents and Insurers under the Compulsory Motor Vehicle Liability Insurance Law to pay Fees directly to Physicians in Certain Cases.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Section thirty of chapter one hundred
2 and fifty-two of the General Laws, as appearing in the
3 Tercentenary edition thereof, is hereby amended by
4 inserting after the word "reasonable" the second
5 time it occurs in the seventeenth line the following
6 sentence:— Any physician rendering treatment to an
7 employee under authority of this section shall receive
8 his fee for such treatment from the insurer, — so as
9 to read as follows:— *Section 30.* — During the first
10 two weeks after the injury, and, if the employee is
11 not immediately incapacitated thereby from earning

12 full wages, then from the time of such incapacity, and
13 in unusual cases, or cases requiring specialized or
14 surgical treatment, in the discretion of the depart-
15 ment, for a longer period, the insurer shall furnish
16 adequate and reasonable medical and hospital serv-
17 ices, and medicines if needed, together with the
18 expenses necessarily incidental to such services. The
19 employee may select a physician other than the one
20 provided by the insurer; and in case he shall be
21 treated by a physician of his own selection, or where,
22 in case of emergency or for other justifiable cause, a
23 physician other than the one provided by the insurer
24 is called in to treat the injured employee, the reason-
25 able cost of his services shall be paid by the insurer,
26 subject to the approval of the department. Such
27 approval shall be granted only if the department finds
28 that the employee was so treated by such physician
29 or that there was such emergency or justifiable cause,
30 and in all cases that the services were adequate and
31 reasonable and the charges reasonable. Any physi-
32 cian rendering treatment to an employee under
33 authority of this section shall receive his fee for such
34 treatment from the insurer. In any case where the
35 department is of opinion that the fitting of the em-
36 ployee with an artificial eye or limb, or other mechani-
37 cal appliance, will promote his restoration to industry,
38 it may order that he be provided with such an arti-
39 ficial eye, limb or appliance, at the expense of the
40 insurer.

1 SECTION 2. Chapter ninety of the General Laws is
2 hereby amended by inserting after section thirty-
3 four J, as so appearing, the following new section:—
4 *Section 34K.* Any physician who, on behalf of the

5 insurer of the obligor of a motor vehicle liability
6 bond, renders treatment to a person injured as the
7 result of the operation of the obligor's motor vehicle
8 shall receive his fee for such treatment from the
9 insurer.

