

HOUSE No. 59

The Commonwealth of Massachusetts

DIVISION OF INDUSTRIAL ACCIDENTS,
STATE OFFICE BUILDING, GOVERNMENT CENTER,
100 CAMBRIDGE STREET, BOSTON 02202, November 1, 1966.

Honorable KEVIN H. WHITE, *Secretary of the Commonwealth*, State House, Boston,
Massachusetts 02133.

DEAR MR. SECRETARY:— In accordance with the provisions of section 33 of chapter 30 of the General Laws, a copy of the recommendations of the Industrial Accident Board for legislation is submitted herewith, together with drafts of bills embodying the legislation recommended. These drafts have been submitted to the Counsel for the House of Representatives, as required by law.

Respectfully submitted,

JAMES J. GAFFNEY, JR.,
Chairman.

RECOMMENDATIONS.

1. AN ACT TO REMOVE ARBITRARY RESTRICTIONS ON THE QUALIFICATIONS OF CERTAIN PHYSICIANS TO TESTIFY IN WORKMEN'S COMPENSATION CASES.

At the present time the parties have delayed the trial of cases by raising objection to the reports of certain physicians who have examined the employee impartially, said objections being based on the allegation that the physician has testified in hearings under Chapter 152 more than three times in the preceding twelve months. Because physicians appointed as impartial examiners have long experience in workmen's compensation cases their treatment of injured employees, their opinion and testimony are in great demand. Therefore, they do appear frequently, thus making their impartial report inadmissible if they have testified more than three times in the preceding twelve months. This proposed amendment would allow these physicians to continue to assist the Industrial Accident Board by impartial examinations and reports.

2. AN ACT TO RELIEVE INSURERS OF NOTIFYING THE DIVISION OF INDUSTRIAL ACCIDENTS OF THE RENEWAL OF WORKMEN'S COMPENSATION POLICIES.

At the present time each time a workmen's compensation policy is issued, renewed, expires or is cancelled, the insurance company must notify the Division, in writing, on each individual action. This present procedure necessitates a tremendous amount of correspondence being sent by the insurers and received by the Division each year. Under this amendment probably eighty per cent of this correspondence would be eliminated inasmuch as notification would have to be given only in those circumstances where a policy expires without renewal, is cancelled, or terminated in some other manner. This relieves the insurer of notifying the Division in each instance and also assists the Division in two respects, (a) that of making an entry on each renewal and (b) permitting the Division to maintain a closer check on those employers who are not insured.