

HOUSE No. 762

By Mr. Vaughan of Belmont, petition of the Massachusetts Association of Plaintiffs' Compensation Attorneys for legislation to further regulate the payment of insurers and self-insurers for certain expenses of reviews. Labor and Industries.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Forty-Eight.

AN ACT TO FURTHER REGULATE THE PAYMENT OF INSURERS AND SELF-INSURERS OF CERTAIN EXPENSES OF REVIEWS.

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 10 of chapter 152 of the General Laws, as
2 most recently amended by chapter 546 of the acts of
3 1947 is hereby further amended by striking out said
4 section and inserting the following: —

5 *Section 10.* If a claim for a review is filed under
6 section eight, the reviewing board shall hear the
7 parties, and may hear evidence in regard to pertinent
8 matters and may revise the decision in whole or in
9 part, or may refer the matter back to the member
10 for further findings of fact, and shall file its decision
11 with the records of the proceedings and notify the
12 parties. If a claim for a review is so filed by the
13 insurer in any case and the board by its decision

14 orders the insurer to make, or to continue, payments
15 to the injured employee, the cost to the injured em-
16 ployee of such review, including therein reasonable
17 counsel fees, in an amount not less than seventy-five
18 dollars, shall be determined by the board and shall
19 be paid by the insurer. No party shall as of right be
20 entitled to a second hearing upon questions of fact.