

# HOUSE . . . . No. 17

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Accompanying the first recommendation of the Division of Industrial Accidents (House, No. 16). Labor and Industries.

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## The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Fifty-Five.

### AN ACT RELATIVE TO THE APPOINTMENT OF IMPARTIAL PHYSICIANS TO EXAMINE INJURED EMPLOYEES UNDER THE WORKMEN'S COMPENSATION LAW.

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

1 Chapter 152 of the General Laws is hereby amended  
2 by striking out section 9, as most recently amended by  
3 chapter 442 of the acts of 1949, and inserting in place  
4 thereof the following new section: —  
5 *Section 9.* The division or any member thereof may  
6 appoint a duly qualified impartial physician to examine  
7 the injured employee and to report. The division, or  
8 member, shall exercise all possible care to appoint as  
9 impartial physicians thereunder only such as are really  
10 impartial. A physician who has been employed or con-  
11 sulted by the employee or by the insurer in respect to  
12 the injury in question shall not be appointed as an im-  
13 partial physician under this section, nor shall a physician  
14 be so appointed who has been habitually employed or  
15 consulted by the employee or the insurer in respect to  
16 other matters than the injury involved, for which ap-  
17 pointment under this section is sought to be made. The  
18 fee for the services of the impartial physician shall be a  
19 reasonable amount, as determined in the discretion of  
20 the division, and the insurer shall reimburse the division

21 for the amount so paid. The report of the physician  
22 shall be admissible as evidence in any proceeding before  
23 the division or a member thereof; provided, that the  
24 employee and the insurer have seasonably been furnished  
25 with copies thereof.