

SENATE No. 212

To accompany the petition of Paul Becker for legislation relative to self-insurance advisors, so called. Labor and Industries.

The Commonwealth of Massachusetts

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

AN ACT RELATING TO SELF-INSURANCE ADVISORS, SO CALLED.

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 25D, as inserted by section 7
3 of chapter 529 of the acts of 1943, and inserting in place
4 thereof the following two sections: —

5 *Section 25D.* Whoever, not being an attorney, or
6 an insurer, or an officer, or a regular salaried employee
7 of a self-insurer, for a fee received or to be received,
8 offers on behalf of any self-insurer to investigate,
9 settle or adjust claims arising under this chapter, or
10 gives or offers to give, any advice, recommendation,
11 or information in respect to the prevention of personal
12 injuries to employees which may arise out of and in
13 the course of their employment, shall be deemed a
14 self-insurance advisor.

15 *Section 25E.* The department may issue to any
16 suitable resident of this commonwealth or to any
17 voluntary association, corporation, partnership asso-
18 ciation having a place of business in Massachusetts,

19 a license to act as a self-insurance advisor. The appli-
20 cant shall file with the department in such form as
21 it may prescribe an application to be a self-insurance
22 advisor. If the department is satisfied that the appli-
23 cant is competent and trustworthy it shall issue a
24 license which shall expire in one year from its date,
25 unless sooner revoked. The license may in the dis-
26 cretion of the department be renewed for a period of
27 one year. The department may at any time for cause
28 shown, revoke the license and shall notify the licensee
29 of such revocation. No self-insurance advisor shall
30 appear before the department in any hearing involving
31 a self-insurer. Whoever acts as a self-insurance ad-
32 visor, as defined in section twenty-five D without such
33 license or during suspension of his license shall be
34 punished by a fine of not more than five hundred nor
35 less than fifty dollars. The department shall maintain
36 a list of all licensed self-insurance advisors which shall
37 be open to public inspection. Each self-insurance
38 advisor shall register with the department the names
39 of all persons employed by it to investigate, settle or
40 adjust claims arising under this chapter on behalf of
41 any self-insurer.

42 Any applicant aggrieved by the action of the depart-
43 ment in refusing to grant a license or in refusing to
44 renew a license, or any self-insurance advisor ag-
45 grieved by the action of the department in revoking
46 its license may demand a hearing before the depart-
47 ment and if, after said hearing, the department denies
48 his petition, he may within ten days after receipt of
49 notice stating reasons for such denial, file a petition
50 in the superior court for Suffolk county for a review
51 thereof. The court shall summarily hear the petition
52 and make any appropriate order or decree.