

By Mr. Wetmore, a petition (accompanied by bill, Senate, No. 174) of the Massachusetts State Labor Council, AFL-CIO, by William A. Cashman, legislative director, Robert D. Wetmore and Richard H. Demers for legislation to amend the workmen's compensation law and regulating payment of medical benefits by out of state vendors. Commerce and Labor.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Eighty.

AN ACT TO AMEND THE WORKMEN'S COMPENSATION LAW AND REGULATING PAYMENT OF MEDICAL BENEFITS BY OUT OF STATE VENDORS.

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 13 of Chapter 152 of Massachusetts General Laws
 2 Annotated as most recently amended by Chapter 746 of the
 3 Acts of 1974 is hereby further amended by striking out in
 4 lines 13, 14 and 15 the words: — "Nor shall any employee
 5 be liable for services adjudged compensation under this chap-
 6 ter which have been paid for at the rate established by the
 7 rate setting Commission" — and inserting in place thereof
 8 the words: — "Nor shall any employee be liable for services
 9 adjudged compensable under this chapter, performed without
 10 the Commonwealth which have been paid for at rates ap-
 11 proved as reasonable and comparable by the Division in the
 12 respective jurisdiction;" — so said section shall read as fol-
 13 lows: —

14 Fees for attorneys and physicians for services adjudged
 15 compensable under this chapter shall be subject to the ap-
 16 proval of the division. The rate of payment by insurers to
 17 hospitals for care adjudged compensable under this chapter
 18 shall be established by the rate setting commission under chap-
 19 ter six A. If the insurer, or any physician or the employee
 20 or any attorney fails to agree as to the amount of any bill
 21 for such services, except rates to be paid for health care serv-
 22 ices, as defined in chapter six A, either party may notify the

23 division, which may thereupon assign the case for hearing by
24 a member, in accordance with the provisions of section eight.
25 No insurer shall be liable for hospitalization expenses, adjudged
26 compensable under this chapter at a rate in excess of the rate
27 set by the rate setting commission, or in excess of the rate
28 established for that service by the aforesaid rate setting com-
29 mission. Nor shall any employee be liable for services adjudged
30 compensable under this chapter, performed without the Com-
31 monwealth which have been paid for at the rates approved
32 as reasonable and comparable by the Division in the respective
33 jurisdiction; the employees, however, shall continue to be
34 liable for services which are not adjudged compensable under
35 this chapter.