

By Mr. Wetherbee of Pepperell, petition of Bruce E. Wetherbee for legislation to authorize liens on workmen's compensation payments in the amount of welfare benefits paid to employees. Commerce and Labor.

**The Commonwealth of Massachusetts**

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

AN ACT AUTHORIZING LIENS ON WORKMEN'S COMPENSATION PAYMENTS  
TO THE EXTENT OF WELFARE BENEFITS PAID TO THE EMPLOYEE.

*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 1. Section 46A of chapter 152 of the General Laws,  
2 as amended by chapter 883 of the acts of 1975, is hereby further  
3 amended by striking out the second sentence and inserting in place  
4 thereof the following two sentences: —

5 If cash assistance, relief or support, or medical assistance is paid  
6 to or on behalf of an employee or a dependent of an employee by  
7 the department of public welfare under chapter eighteen, chapter  
8 one hundred and seventeen, chapter one hundred and eighteen, or  
9 chapter one hundred and eighteen E, with respect to a claim which  
10 is subsequently found to be compensable under this chapter, the  
11 department of public welfare may, at any time before an award of  
12 workmen's compensation benefits or approval of a lump sum  
13 settlement is paid, file with the division a claim for reimbursement  
14 out of the proceeds of such award or lump sum settlement. In those  
15 instances in which such a claim is filed, said accident and health  
16 insurer or hospital, medical or dental service corporation, the  
17 department of public welfare or employer shall have a lien against  
18 the award, or lump sum, and upon satisfactory proof, the division  
19 or a member thereof shall order direct payment of the reimburse-  
20 ment to be made from such award or lump sum to the employer,  
21 health or accident insurer, hospital, medical or dental service  
22 corporations, or the department of public welfare who paid or  
23 furnished such benefits.

1 SECTION 2. Section 47 of said chapter 152, as amended by  
2 chapter 792 of the acts of 1960, is hereby further amended by  
3 adding the following phrase: — and except as permitted to the  
4 department of public welfare under chapter eighteen, chapter one  
5 hundred and seventeen, chapter one hundred and eighteen, and  
6 chapter one hundred and eighteen E.