

By Mr. Foley, a petition (accompanied by bill, Senate, N. 66) of Daniel J. Foley for legislation relative to rates to be paid providers of health care services to industrial accident patients. Commerce and Labor.

The Commonwealth of Massachusetts

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

AN ACT RELATIVE TO RATES TO BE PAID PROVIDERS OF HEALTH CARE SERVICES TO INDUSTRIAL ACCIDENT PATIENTS.

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

SECTION 1. Section 31 of chapter 6A of the General Laws, as inserted by section 2 of chapter 1229 of the Acts of 1973, is hereby amended by striking out the definition of "governmental unit" and inserting in place thereof the following definition: —

"Governmental unit", the commonwealth, any department, agency, board or commission of the commonwealth, and any political subdivision of the commonwealth, but not including the division of industrial accidents in the department of labor and industries.

SECTION 2. Section 32 of chapter 6A of the General Laws, as inserted by section 2 of chapter 1229 of the acts of 1973, is hereby amended by striking out, in the first sentence of the first paragraph thereof, the following words: —

, including the division of industrial accidents in the department of labor and industries, ;

and said section 32 is hereby further amended by striking clause (4) out of the third paragraph thereof, and by renumbering clause (5) of said paragraph as clause (4), and by renumbering clause (6) of said paragraph as clause (5).

SECTION 3. Chapter 152 of the General Laws is hereby amended by striking out section 13, as most recently amended by chapter 746 of the acts of 1974, and inserting in place thereof the following new section: —

5 *Section 13.* Fees of attorneys for services adjudged com-  
6 pensable under this chapter shall be subject to the approval  
7 of the division. The rate of payment by insurers to hospitals  
8 for care adjudged compensable under this chapter shall be  
9 established by the rate setting commission under chapter six  
10 A. If the insurer, or the employee or any attorney fails to  
11 agree as to the amount of any bill for such services, except  
12 rates to be paid for hospital services, which shall be review-  
13 able under chapter six A, either party may notify the di-  
14 vision, which may thereupon assign the case for hearing by a  
15 member thereof, in accordance with the provisions of section  
16 eight. No insurer or employee shall be liable for hospitaliza-  
17 tion expenses, adjudged compensable under this chapter at a  
18 rate in excess of the rate setting commission, or in excess of  
19 the rate established for that service by the aforesaid rate set-  
20 ting commission.

21 Fees of physicians and dentists for services adjudged com-  
22 pensable under this chapter shall be subject to the approval  
23 of the division. If the insurer, or any physician or dentist of  
24 the employee fails to agree as to the amount of any bill for  
25 such services, either party may notify the division, which may  
26 thereupon assign the case for hearing by a member thereof, in  
27 accordance with the provisions of section eight.

28 Employees shall continue to be liable for services which  
29 are not adjudged compensable under this chapter.

30 Insurers shall provide information to the division concern-  
31 ing charges by physicians and dentists for services adjudged  
32 compensable under this chapter, in such detail and at such  
33 intervals as the division shall from time to time determine by  
34 regulation.

1 SECTION 4. This act shall take effect on July first, nineteen  
2 hundred and seventy-nine.