

By Mr. Navin of Marlborough, petition of the Massachusetts Association of Paraplegics, Inc., that paraplegics and other permanently handicapped employees be given the benefits of subsequent increases in weekly payments under the workmen's compensation law. Commerce and Labor.

**The Commonwealth of Massachusetts**

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

AN ACT TO GIVE PARAPLEGICS AND OTHER PERMANENTLY HANDICAPPED EMPLOYEES, WHETHER TOTALLY OR PARTIALLY INCAPACITATED, THE BENEFITS OF SUBSEQUENT INCREASES IN WEEKLY PAYMENTS.

*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, as amended, is hereby  
2 further amended by adding the following new section  
3 34D:—

4 *Section 34D.* All paraplegics and other permanently handi-  
5 capped employees, hereafter found by decision, or agreed by  
6 the insurer and employee, to have a permanent and total  
7 incapacity under section thirty-four A, or a permanent and  
8 partial incapacity under section thirty-four B, shall have the  
9 benefit of all future increases in weekly compensation enacted  
10 by the legislature, and such weekly benefits shall be based, at  
11 the employee's election, upon his original wage or upon what  
12 his wage reasonably would have been had he not received his  
13 injury.

14 Evidence of the increases in the area rates established by  
15 the Bureau of Labor Statistics of the United States Depart-  
16 ment of Labor from the date of injury onwards for the same  
17 or similar classifications may be used to establish what his  
18 wage reasonably would have been had he not received the  
19 injury.

20 The above increases in benefits shall take effect upon the  
21 effective date of this act, and temporarily be chargeable to  
22 the fund set up under section sixty-five N; and for injuries  
23 occurring after the passage of this act, the increases shall be  
24 chargeable to the insurer involved.