

HOUSE No. 4056

By Mr. Lewis of Boston (by request), petition of Doris M. Tatra relative to expediting payments of workmen's compensation. Commerce and Labor.

The Commonwealth of Massachusetts

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

AN ACT EXPEDITING PAYMENTS OF WORKMEN'S COMPENSATION.

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 7 of chapter 152 of the General Laws,
2 as most recently amended by section 6 of chapter 314 of the
3 acts of 1953, is hereby further amended by adding the follow-
4 ing paragraph: —

5 Such hearing, or in place thereof, a conference, in the
6 discretion of the member, shall be held not later than fourteen
7 days from the date such notice was received by the division.
8 The employee may be present or represented by counsel. The
9 member shall make such inquiries and investigations as shall be
10 deemed necessary and shall have the power to require and
11 receive reports of injury, signed statements of the employee
12 and other witnesses, medical and hospital reports and records,
13 and such other oral and written matter as shall enable him to
14 determine whether there is reason to believe that weekly pay-
15 ment of compensation under this chapter is due. If the member
16 determines that there is reason to believe that compensation is
17 due under this chapter, he shall order such weekly payments.
18 The division shall set the case for hearing before another
19 member thereof. If it is then decided that weekly payments
20 were not due the insurer shall be reimbursed by the state
21 treasurer from the fund established by section sixty-five. In the
22 event that said fund becomes exhausted, the state treasurer

23 shall make such payments from the general fund without
24 appropriation. The employee shall reimburse the state treasurer
25 for the amounts paid the insurer.

1 SECTION 2. Section 65 of said chapter 152, as most recent-
2 ly amended by chapter 513 of the acts of 1967, is hereby
3 further amended by striking out the second and third sentences
4 and inserting in place thereof the following sentences: —

5 Such payments shall constitute a special fund in the custody
6 of the state treasurer, who shall make payments therefrom
7 upon the written order of the division for the purposes set
8 forth in section thirty-seven, and the purposes set forth in
9 section seven and for the purpose of paying the expense of
10 printing the necessary record, papers and briefs in certain
11 appeals to the supreme judicial court as provided in section
12 eleven. The reasonable expense of prosecution or defense, if
13 any, by the attorney general, of claims for deposit under this
14 section or against claims for reimbursement under sections
15 seven and thirty-seven, shall, subject to the approval of the
16 division, be payable out of the special fund established here-
17 under.