

By Mr. Buglione of Methuen, petition of Nicholas J. Buglione, Michael J. Rea, Jr., Edward A. LeLacheur and Andrew J. Rogers, Jr., relative to self-insurance under the workmen's compensation law. Commerce and Labor.

**The Commonwealth of Massachusetts**

In the Year One Thousand Nine Hundred and Eighty-Four.

AN ACT RELATIVE TO SELF-INSURANCE UNDER THE WORKMENS' COMPENSATION ACT.

*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 is hereby amended by striking  
2 out paragraph (5) of section 1, as most recently amended by section  
3 1 of chapter 755 of the acts of 1969, and inserting in place thereof  
4 the following new paragraph 5: —

5 (5) "Employer", an individual, partnership, association, corpo-  
6 ration or other legal entity, or any two or more of the foregoing  
7 engaged in a joint enterprise, or one or more health care providers,  
8 and including the legal representatives of a deceased employer, or  
9 the receiver or trustee of an individual, partnership, association,  
10 corporation or other legal entity, employing employees subject to  
11 this chapter; provided, however, that the owner of a dwelling house  
12 having not more than three apartments and who resides therein, or  
13 the occupant of a dwelling house of another who employs persons  
14 to do maintenance, construction or repair work on such dwelling  
15 house or on the grounds or buildings appurtenant thereto shall not  
16 because of such employment be deemed to be an employer. The  
17 word "employer" shall include both the general employer and the  
18 special employer in any case where both relationships exist with  
19 respect to an employee. The term "health care providers" as used in  
20 this paragraph shall include hospitals and clinics licensed under  
21 section 51 of Chapter III; infirmaries, convalescent, nursing and  
22 rest homes licensed under Section 71 of Chapter III.

Department of Medicine  
Medical & Surgical  
University of California, San Francisco  
San Francisco, California

Dear Sir:  
I have the honor to acknowledge the receipt of your letter of the 12th inst. regarding the matter mentioned therein. I am sorry that I cannot give you a more definite answer at this time, but I am sure that you will understand my position.

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