

By Mr. Landers of Palmer, petition of AFSCME Council 93 and Patrick F. Landers III that physicians of public employees be appointed on regional medical panels for ordinary disability retirement. Public Service.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Ninety-Seven.

AN ACT TO INCLUDE THE EMPLOYEE'S PHYSICIAN ON REGIONAL MEDICAL PANELS FOR ORDINARY DISABILITY RETIREMENT.

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 32, Section 6(3) shall be amended by striking out the
2 following sentence in lines seven through nine:

3 "No physician having previously examined the member, except
4 as part of a prior disability medical panel, shall serve on the
5 regional medical panel examining the member." The following
6 sentence shall be added at the end of the third paragraph of
7 Chapter 32, Section 6(3): "The employee's own physician shall be
8 one of the three physicians appointed to the regional medical
9 panel by the commissioner."

10 Chapter 32, Section 6(3)(c) shall be amended by changing the
11 third paragraph to read as follows:

12 "At the discretion of the employer and its physician, said physi-
13 cian may be present and may answer questions from the panel
14 during the decision-making process of the panel; provided, how-
15 ever that the physician shall not have a vote in the final determi-
16 nation of such panel; and provided, further, that the physician may
17 disagree with the findings of such panel and may indicate such
18 opinion by signing and noting their objections on an appropriate
19 medical certificate and by submitting a written statement as to
20 his/her medical opinion involving such case."

