

By Mr. Morrissey of Quincy, petition of Michael W. Morrissey, Thomas F. Brownell and another for legislation to further the rehabilitation of injured workers. Commerce and Labor.

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**The Commonwealth of Massachusetts**

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

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**AN ACT TO FURTHER THE REHABILITATION OF INJURED WORKERS.**

*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. Chapter 132 of the General Laws is hereby further  
2 amended by inserting a new section to read as follows: —

3 *Section 30E.* An injured employee who has been paid weekly  
4 compensation for a period of six months or more under this  
5 chapter may request either in writing or in a form prescribed by the  
6 rehabilitation board, a determination as to his elibility and the  
7 extent thereof of the rehabilitation and vocational services pro-  
8 vided under Section 30A and 30B. Notice of such determination  
9 shall issue forthwith to the employee and insurer or self-insurer.

1 SECTION 2. Section Seven of Chapter 152 of the General  
2 Laws, as most recently amended by Chapter 483, Acts of 1979, is  
3 hereby further amended by inserting a second paragraph to read as  
4 follows: —

5 If the injured employee has been paid compensation in accord-  
6 ance with the chapter, and the employee and the insurer or  
7 self-insurer have a dispute concerning liability or payments for  
8 rehabilitation or vocational services as provided by Section 30A  
9 and 30B, or are aggrieved by a determination by the Industrial  
10 Accident Rehabilitation Board, either party may notify the Div-  
11 ision which shall thereupon assign the case for a conference by a  
12 member thereof in accordance with the provisions and procedures  
13 heretofore set forth in this section.

1 SECTION 3. Section 30B of Chapter 152 of the General Laws,  
2 as most recently amended by Chapter 773 of the Acts of 1973 is  
3 further amended by inserting in paragraph 3, sentence one, after  
4 "rehabilitation facility," the words — rehabilitation organization.  
5 It is further amended by inserting in paragraph 3, sentence one,  
6 after "chapter six," the words — and or a rehabilitation organiza-  
7 tion facility, or a physician. It is further amended by deleting  
8 therefrom language appearing in paragraph 3, sentence one, com-  
9 mencing with "provided" and substituting therefor the following: —  
10 provided that any dispute concerning liability or payments for  
11 rehabilitation or vocational services by said insurer or self-insurer  
12 be determined by a member of the Industrial Accident Board in  
13 accordance with the provisions of Section Seven. Both the  
14 employee and the Massachusetts Rehabilitation services, a rehabil-  
15 itation organization, rehabilitation facility, or a physician shall be  
16 parties at any conference or subsequent proceedings required, and  
17 the Attorney General shall, if requested by the Massachusetts  
18 Rehabilitation Commission, represent said Commission in any  
19 matter related thereto.