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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2010

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A N A C T

RELATING TO LABOR AND LABOR RELATIONS - WORKERS' COMPENSATION -  
BENEFITS

Introduced By: Senator Michael J. McCaffrey

Date Introduced: February 11, 2010

Referred To: Senate Labor

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 28-33-5 of the General Laws in Chapter 28-33 entitled "Workers'  
2 Compensation - Benefits" is hereby amended to read as follows:

3 **28-33-5. Medical services provided by employer. --** The employer shall, subject to the  
4 choice of the employee as provided in section 28-33-8, promptly provide for an injured employee  
5 any reasonable medical, surgical, dental, optical, or other attendance or treatment, nurse and  
6 hospital service, medicines, crutches, and apparatus for such period as is necessary, in order to  
7 cure, rehabilitate or relieve the employee from the effects of his injury; provided, that no fee for  
8 major surgery shall be paid unless permission for it in writing is first obtained from the workers'  
9 compensation court, the employer, or the insurance carrier involved, except where compliance  
10 with it may prove fatal or detrimental to the employee. Irrespective of the date of injury, the  
11 liability of the employer for hospital service rendered under this section to the injured employee  
12 shall be the cost to the hospital of rendering the service at the time the service is rendered. The  
13 director, after consultations with representatives of hospitals, employers, and insurance  
14 companies, shall establish administrative procedures regarding the furnishing and filing of data  
15 and the time and method of billing and may accept as representing the costs for both routine and  
16 special services to patients, costs as computed for the federal Medicare program. Each hospital  
17 licensed under chapter 16 of title 23 which renders services to injured employees under the  
18 Workers' Compensation Act, chapters 29 -- 38 of this title, shall submit and certify to the director,

1 in accordance with requirements of the administrative procedures established by him or her, its  
2 costs for those services. The employer shall also provide all medical, optical, dental, and surgical  
3 appliances and apparatus required to cure or relieve the employee from the effects of the injury,  
4 including but not being limited to the following: ambulance and nursing service, eyeglasses,  
5 dentures, braces and supports, artificial limbs, crutches, and other similar appliances; provided,  
6 that the employer shall not be liable to pay for or provide hearing aids or other amplification  
7 devices. The reasonable cost of transportation to and from any health care provider incurred by  
8 the employee, from the date of injury until a finding of maximum medical improvement, as a  
9 result of any treatment provided by this section or sections 28-33-7, 28-33-8 and 28-33-41 shall  
10 be charged to the employer, and if paid for by the employee, he/she shall be reimbursed in full for  
11 these expenses by his/her employer upon presentation of a receipt of other evidence of  
12 expenditure.

13 SECTION 2. This act shall take effect upon passage.

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF

A N A C T  
RELATING TO LABOR AND LABOR RELATIONS - WORKERS' COMPENSATION -  
BENEFITS

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1           This act would require that the cost of transportation for an injured worker to and from  
2 health care providers as a workers' compensation benefit be paid for by or reimbursed to the  
3 injured worker.

4           This act would take effect upon passage.

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