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Date: (Filing No. S- )

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**STATE OF MAINE**  
**SENATE**  
**126TH LEGISLATURE**  
**SECOND REGULAR SESSION**

SENATE AMENDMENT “ ” to COMMITTEE AMENDMENT “A” to S.P. 632, L.D. 1641, Bill, “An Act To Amend the Workers' Compensation Laws as They Pertain to Employee Representation”

Amend the amendment by inserting before section 1 the following:

**Sec. 1. 39-A MRSA §310, first ¶**, as enacted by PL 1991, c. 885, Pt. A, §8 and affected by §§9 to 11, is amended to read:

Except for statements made in proceedings before the board, a statement to any investigator or employer's representative, of any kind, oral or written, recorded or unrecorded, made by the injured employee is not admissible in evidence or considered in any way in any proceeding under this Act, except in accordance with this section. For the purpose of this section, "employer's representative" includes a physician or other health care provider employed or hired by the employer but does not include a physician or other health care provider not employed or hired by the employer who conducts an examination of the employee, including, but not limited to, an examination conducted pursuant to section 207.

Amend the amendment by inserting after section 2 the following:

**Sec. 3. 39-A MRSA §311, sub-§1-A** is enacted to read:

**1-A. Employer's representative.** For the purpose of this section, "employer's representative" includes a physician or other health care provider employed or hired by the employer but does not include a physician or other health care provider not employed or hired by the employer who conducts an examination of the employee, including, but not limited to, an examination conducted pursuant to section 207.

Amend the amendment by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.

**SENATE AMENDMENT**

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**SUMMARY**

This amendment amends Committee Amendment "A" to clarify that the term "employer's representative" does not include a physician or other health care provider not employed or hired by the employer who conducts an examination of the employee.

**SPONSORED BY:** \_\_\_\_\_

**(Senator GRATWICK)**

**COUNTY: Penobscot**