

2012 -- S 2225

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2012

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A N A C T

RELATING TO LABOR AND LABOR RELATIONS -- WORKERS' COMPENSATION --  
MEDICAL SERVICES

Introduced By: Senators Ruggerio, Metts, Pichardo, Perry, and Jabour

Date Introduced: January 24, 2012

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

1 accordance with requirements of the administrative procedures established by him or her, its costs  
2 for those services. The employer also provides 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 limited to, the following: ambulance and nursing service, eyeglasses, dentures,  
5 braces and supports, artificial limbs, crutches, and other similar appliances; provided, however,  
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, as a result of any treatment provided by this section, sections 28-33-7, 28-33-8 and  
9 28-33-41 shall be charged to the employer, and if paid for by the employee, he/she shall be  
10 reimbursed in full for these expenses by his/her employer upon presentation of a receipt or other  
11 evidence of expenditure.

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

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF

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RELATING TO LABOR AND LABOR RELATIONS -- WORKERS' COMPENSATION --  
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- 1           This act would require employers to pay the reasonable transportation costs for
- 2 employees that travel to receive workers' compensation related health care services.
- 3           This act would take effect upon passage.

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