

Annual List of Rulemaking Activity
Rules Adopted January 1, 2023 to December 31, 2023
Prepared by the Secretary of State pursuant to 5 MRS §8053-A(5)

Agency name: **Workers' Compensation Board**
Umbrella-Unit: **90-351**
Statutory authority: 39-A MRS §312
Chapter number/title: **Ch. 4, Independent Medical Examiner**
Filing number: **2023-248**
Effective date: 12/16/2023
Type of rule: Routine Technical
Emergency rule: No

Principal reason or purpose for rule:

To emphasize the importance of independence when acting as an independent medical examiner.

Basis statement:

The rule adds a performance criteria and will emphasize to the independent medical examiners the importance of providing impartial and objective reports in cases assigned to them.

Fiscal impact of rule:

None

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Umbrella-Unit: **90-351**
Statutory authority: 39-A M.R.S.A. §§ 208 and 209-A; 39-A M.R.S.A. §§ 312 and 315 and 611
Chapter number/title: **Ch. 5**, Medical Fees; Reimbursement Levels; Reporting Requirements
Ch. 17, Expenses and Fees
Filing number: **2023-147, 2023-148**
Effective date: 9/4/2023
Type of rule: Routine Technical
Emergency rule: No

Principal reason or purpose for rule:

To promote efficient and timely processing of claims arising under 39-A M.R.S.A. §201 (3-A) by improving the process of obtaining necessary medical information and for medical bills.

Basis statement:

Requiring the signature of an attorney or advocate to obtain medical records related to psychological matters resulted in the denial of cases arising under 39-A M.R.S.A. §201 (3-A) (Mental injury caused by stress). The rule removes that requirement and also changes the release for records related to psychological matters. The proposed amendment strikes a balance between protecting sensitive information with efficient processing of claims arising under §201 (3-A).

The rule also clarifies how bills that are missing required information must be processed. The proposed amendment ensures all parties have necessary information so bills for medical treatment can be processed in a timely and efficient manner.

Fiscal impact of rule:

None