



The Commonwealth of Massachusetts

Division of Industrial Accidents

*State Office Building, Government Center
100 Cambridge Street, Boston 02202*

WHEN REPLYING
PLEASE QUOTE I.A.B.
FILE NO.
ATTENTION OF:

October 6, 1966

CIRCULAR LETTER NO. 150

TO: ALL INSURANCE COMPANIES, ALL SELF-INSURERS, AND WORKMEN'S COMPENSATION AGENTS OF DEPARTMENTS OF THE COMMONWEALTH AND COUNTIES, CITIES, TOWNS AND DISTRICTS SUBJECT TO THE WORKMEN'S COMPENSATION LAW (GENERAL LAWS, CHAPTER 152, AS AMENDED).

Enclosed are the five amendments to Chapter 152, enacted during the Legislative year of 1966.

Your attention is especially invited to the substantive changes provided for in Chapter 578, which requires payment of compensation beginning on the sixth day of incapacity, and Chapter 584 which increases the weekly payments under Section 36 to twenty-five (\$25.00) per week.

Chapter 578 applies to injuries which occur on or after November 27, 1966.

Chapter 584 applies to injuries which occur on or after November 29, 1966.

Very truly yours,

John J. Maloney
Secretary

JJM/ec

CHAPTER 401

AN ACT AUTHORIZING CITIES AND TOWNS TO COVER CERTAIN ELECTED OR APPOINTED OFFICERS UNDER THE WORKMEN'S COMPENSATION ACT.

Be it enacted, etc., as follows:

The first paragraph of section 69 of chapter 152 of the General Laws, as appearing in chapter 555 of the acts of 1959, is hereby amended by adding the following sentence:- The terms laborers, workmen and mechanics, as used in sections sixty-eight to seventy-five, inclusive, shall, if the city council or the town meeting so votes, also include such elected or appointed officers of the city or town, except the mayor, city councillors, selectmen or members of the police or fire force, as the mayor or board of selectmen may, from time to time, designate, as evidenced by a writing filed with the division.

Approved June 24, 1966
Effective September 22, 1966

Publication of this Document Approved by Alfred Holland,
State Purchasing Agent - #1.

CHAPTER 442

AN ACT REQUIRING WORKMEN'S COMPENSATION INSURERS TO FURNISH EMPLOYEES WITH COPIES OF APPLICATIONS FOR APPROVAL OF DISCONTINUANCE OF COMPENSATION AND OF MEDICAL REPORTS IN SUPPORT THEREOF.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 29 of chapter 152 of the General Laws is hereby amended by striking out the fourth sentence, as amended by section 6 of chapter 314 of the acts of 1953, and inserting in place thereof the following sentence:- In other cases the insurer shall file a written application for approval of discontinuance of compensation with a recent medical report in support thereof or stating such other reason which may justify such discontinuance, and shall furnish a copy of such application and supporting medical report or statement of reason to the employee or his attorney, and such approval shall only be given by the division or a member thereof after a conference at which the employee may be present or represented by counsel.

- Approved July 25, 1966
Effective October 23, 1966

Publication of this Document Approved by Alfred Holland,
State Purchasing Agent - #1.

CHAPTER 443

AN ACT REQUIRING PRELIMINARY CONFERENCES IN WORKMEN'S
COMPENSATION CASES.

Be it enacted by the Senate and House of Representatives in
General Court assembled, and by the authority of the same,
as follows:

Chapter 152 of the General Laws is hereby amended
by inserting after section 7B the following section:-

SECTION 7C. Within sixty days after a request for
hearing is filed with the division a conference between the
parties shall be held before a member of the division for the
purpose of defining and narrowing the issues, binding the
parties to the matters which are not in dispute, and considering
such other relevant matters as will aid in the disposal of the
case. Following the conference the member shall file a
memorandum with the division setting forth the issues, as
defined and narrowed, together with a statement of the matters
agreed upon. Such memorandum shall be a part of the case and
shall control the conduct of the case, unless modified by a
member at a subsequent hearing or conference in order to
prevent manifest injustice. Offers of settlement shall not
be referred to or made part of the memorandum.

Approved July 25, 1966
Effective October 23, 1966

Publication of this Document Approved by Alfred Holland,
State Purchasing Agent - #1.

CHAPTER 578

AN ACT REDUCING THE TIME BEFORE COMPENSATION SHALL BEGIN TO BE PAID UNDER THE WORKMEN'S COMPENSATION ACT.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 29 of chapter 152 of the General Laws is hereby amended by striking out the first two sentences, as appearing in chapter 471 of the acts of 1949, and inserting in place thereof the following sentences:- No compensation shall be paid for any injury which does not incapacitate the employee from earning full wages for a period of at least five days. If incapacity extends for a period of six days or more, compensation shall be paid from the date of injury; provided that, except under section thirty-five, no compensation shall be paid for any period for which any wages were earned.

Approved August 29, 1966
Effective November 27, 1966

Publication of this Document Approved by Alfred Holland,
State Purchasing Agent - #1.

CHAPTER 584

AN ACT INCREASING THE PAYMENTS UNDER THE WORKMEN'S COMPENSATION ACT FOR SPECIFIC INJURIES.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 36 of chapter 152 of the General Laws, as appearing in section 1 of chapter 471 of the acts of 1962, is hereby amended by striking out the words in lines 1 to 3, inclusive, and inserting in place thereof the following:-
In case of the following specified injuries, the sum of twenty-five dollars a week shall be paid, in addition to all other compensation, for the following periods:-.

Approved August 31, 1966
Effective November 29, 1966

Publication of this Document Approved by Alfred Holland,
State Purchasing Agent - #1.