

2010 -- S 2365

LC00536

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2010

A N A C T

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

Introduced By: Senators Ruggerio, Doyle, Jabour, Goodwin, and Miller

Date Introduced: February 11, 2010

Referred To: Senate Labor

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 28-33-34 of the General Laws in Chapter 28-33 entitled "Workers'
2 Compensation - Benefits" is hereby amended to read as follows:
3 **28-33-34. Physical examination by employer's physician -- Report.** -- The employee
4 shall, after an injury, and ~~at reasonable times~~ no earlier than four (4) month intervals during the
5 continuance of his or her disability if so requested by his or her employer, submit himself or
6 herself to an examination by a physician, or rehabilitation counselor certified by the director
7 pursuant to section 28-33-41 in cases where the employee has received compensation for a period
8 of more than three (3) months, furnished and paid for by the employer. The employee shall have
9 the right to have a physician provided by the employee and paid for by the employer present at
10 the examination. The employee shall be entitled to a full, exact, signed duplicate copy of the
11 medical report of the examining physician, which shall be mailed by the employer or carrier to
12 the employee and his or her attorney upon receipt of the original report by the employer or
13 carrier. Failure to do so shall make the report or evidence of the examining physician
14 inadmissible if objection is made by the employee to the admission of the report or evidence.
15 Provided, that at the employee's or his or her attorney's request, a judge of the workers'
16 compensation court shall order the employer or carrier to furnish to the employee a full exact,
17 signed duplicate copy of the medical report of the examining physician. Nothing in this section
18 shall be construed to require the employee to be receiving benefits as a condition precedent to the

1 requirement of an examination.

2 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 --
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1 This act would require an employee, after an injury, to submit to an examination by a
2 physician no earlier than four (4) month intervals after the injury if requested to do so by his or
3 her employer.

4 This act would take effect upon passage.

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