

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL
No. 1044 Session of
1975

INTRODUCED BY CAPUTO, GEISLER, FLAHERTY, RHODES, MRKONIC, ITKIN,
M. M. MULLEN, ROMANELLI, MENHORN, SWEENEY, NOVAK, ABRAHAM,
VALICENTI, GILLETTE, KNEPPER, CESSAR, FISHER AND PARKER,
APRIL 16, 1975

REFERRED TO COMMITTEE ON LABOR RELATIONS, APRIL 21, 1975

AN ACT

1 Amending the act of June 2, 1915 (P.L.736, No.338), entitled, as
2 amended, "An act defining the liability of an employer to pay
3 damages for injuries received by an employe in the course of
4 employment; establishing an elective schedule of
5 compensation; providing procedure for the determination of
6 liability and compensation thereunder; and prescribing
7 penalties," further providing for certain provisions relating
8 to the employe's choice of practitioner of the healing arts.

9 The General Assembly of the Commonwealth of Pennsylvania
10 hereby enacts as follows:

11 Section 1. Subsection (f) of section 306, act of June 2,
12 1915 (P.L.736, No.338), known as "The Pennsylvania Workmen's
13 Compensation Act," reenacted and amended June 21, 1939 (P.L.520,
14 No.281), and amended December 5, 1974 (No.263), is amended to
15 read:

16 Section 306. The following schedule of compensation is
17 hereby established:

18 * * *

19 (f) The employer shall provide payment for reasonable
20 surgical and medical services, services rendered by duly

1 licensed practitioners of the healing arts, medicines, and
2 supplies, as and when needed: Provided, That the employe may
3 select a duly licensed practitioner of the healing arts of his
4 own choice[, unless at least five physicians shall have been
5 designated by the employer or by the employer and the employe's
6 representative by agreement, in which instances the employe
7 shall select a physician from among those designated]. In
8 addition to the above service, the employer shall provide
9 payment for medicines and supplies, hospital treatment, services
10 and supplies and orthopedic appliances, and prostheses. The cost
11 for such hospital treatment, service and supplies shall not in
12 any case exceed the prevailing charge in the hospital for like
13 services to other individuals. If the employe shall refuse
14 reasonable services of duly licensed practitioners of the
15 healing arts, surgical, medical and hospital services,
16 treatments, medicines and supplies he shall forfeit all rights
17 to compensation for any injury or any increase in his incapacity
18 shown to have resulted from such refusal. Whenever an employe
19 shall have suffered the loss of a limb, part of a limb, or an
20 eye, the employer shall also provide payment for an artificial
21 limb or eye or other prostheses of a type and kind recommended
22 by the doctor attending such employe in connection with such
23 injury and any replacements for an artificial limb or eye which
24 the employe may require at any time thereafter, together with
25 such continued medical care as may be prescribed by the doctor
26 attending such employe in connection with such injury as well as
27 such training as may be required in the proper use of such
28 prostheses. The provisions of this section shall apply in
29 injuries whether or not loss of earning power occurs. If
30 hospital confinement is required, the employe shall be entitled

1 to semi-private accommodations but if no such facilities are
2 available, regardless of the patient's condition, the employer,
3 not the patient, shall be liable for the additional costs for
4 the facilities in a private room.

5 The payment by an insurer for any medical, surgical or
6 hospital services or supplies after any statute of limitations
7 provided for in this act shall have expired shall not act to
8 reopen or review the compensation rights for purposes of such
9 limitations.

10 * * *

11 Section 2. This act shall take effect in 60 days.