

CHAPTER 863—S.F.No.1053

An act relating to workmen's compensation; providing compensation for fees of chiropractors; amending Minnesota Statutes 1969, Sections 176.135, Subdivisions 1 and 2; and 176.181, Subdivision 2.

Be it enacted by the Legislature of the State of Minnesota:

Section 1. Minnesota Statutes 1969, Section 176.135, Subdivision 1, is amended to read:

176.135 WORKMEN'S COMPENSATION; CHIROPRACTIC TREATMENT; APPLIANCES; SUPPLIES. Subdivision 1. **MEDICAL, CHIROPRACTIC, SURGICAL, HOSPITAL.** The employer shall furnish such medical, chiropractic, surgical and hospital treatment, including nursing, medicines, medical chiropractic, and surgical supplies, crutches and apparatus, including artificial members, or, at the option of the employee, if the employer has not filed notice as hereinafter provided, Christian Science treatment in lieu of medical treatment, chiropractic medicine and medical supplies, as may reasonably be required at the time of the injury and any time thereafter to cure and relieve from the effects of the injury. Such treatment shall include treatments necessary to physical rehabilitation. The employer shall furnish replacement or repair for artificial members, glasses, or spectacles, artificial eyes, dental bridge work, dentures or artificial teeth, hearing aids, canes, crutches or wheel chairs damaged by reason of an injury arising out of and in the course of the employment. In case of his inability or refusal seasonably to do so the employer shall be liable for the reasonable expense incurred by or on behalf of the employee in providing the same. The employer shall pay for the reasonable value of nursing services by a member of the employee's family in cases of permanent total disability. Orders of the commission with respect to this subdivision may be reviewed by the commission on petition of an aggrieved party or by writ of certiorari to the supreme court.

Sec. 2. Minnesota Statutes 1969, Section 176.135, Subdivision 2, is amended to read:

Subd. 2. CHANGE OF PHYSICIANS OR CHIROPRACTORS. The commission shall make the necessary rules for a change of physicians or chiropractors in the case that either the employee or the employer desire a change and for the designation of a physician or chiropractor suggested by the injured employee or the commission. In such case the expense thereof shall be borne by the employer upon the same terms and conditions as provided in subdivision 1 and for medical, chiropractic and surgical treatment and attendance.

Changes or additions indicated by underline, deletions by ~~strikeout~~.

Sec. 3. Minnesota Statutes 1969, Section 176.181, Subdivision 2, is amended to read:

Subd. 2. **COMPULSORY INSURANCE; SELF-INSURERS.**

Every employer, except the state and its municipal subdivisions, liable under this chapter to pay compensation shall insure payment of such compensation with some insurance carrier authorized to insure such liability in this state, or obtain a written order from the commission exempting such employer from insuring his liability for compensation and permitting him to self-insure such liability. With the approval of the commission, any employer may exclude medical, chiropractic and hospital benefits as required by this chapter. An employer conducting distinct operations at different locations may either insure or self-insure such other portion of his operations which may be determined by the commission to be a distinct and separate risk. An employer desiring to be exempted from insuring his liability for compensation shall make application to the commission, showing his financial ability to pay such compensation, whereupon by written order the commission may make such exemption as it deems proper. The commission may require further statements of financial ability of the employer to pay compensation. Upon ten days written notice the commission may revoke its order granting such exemption, in which event the employer shall immediately insure his liability. As a condition for the granting of an exemption the commission may require the employer to furnish such security as it considers sufficient to insure payment of all claims under this chapter. If the required security is in the form of currency or negotiable bonds, the commission shall deposit same with the state treasurer. In the event of any default upon the part of a self-insurer to abide by any final order or decision of the commission directing and awarding payment of compensation and benefits to any employee or the dependents of any deceased employee, then upon at least ten days notice to such self-insurer, the commission may by written order to the state treasurer require him to sell the pledged and assigned securities or such part thereof as is necessary to pay the full amount of any such claim or award with interest thereon. This authority to sell may be exercised from time to time to satisfy any order or award of the commission or any judgment obtained thereon. When such securities are sold the money so obtained shall be deposited in the state treasury to the credit of the commission and awards made against any such self-insurer by the commission shall be paid to the persons entitled thereto by the state treasurer upon warrants prepared by the commission and approved by the state auditor out of the proceeds of the sale of such securities. Where the security is in the form of a surety bond or personal guaranty the commission, at any time, upon at least ten days notice and opportunity to be heard, may require the surety to pay the amount of the award, the payments to be enforced in like manner as the award may be enforced.

Approved June 7, 1971.

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