

TITLE 4: ECONOMIC RESOURCES
DIVISION 9: LABOR

§ 9307. Medical Services and Supplies.

(a)(1) The employer shall furnish to the injured employee such remedial treatment, care, and attendance under the direction of a qualified physician or surgeon or other recognized practitioner, nurse or hospital, as the nature of the injury or the process of recovery may require, including medicines, crutches, artificial limbs and other apparatus and vocational rehabilitation services.

(2) If the employer refuses to provide, after request by the injured employee, or neglects to provide, having knowledge of the injury, treatment and services required by the injury, the injured employee may do so and shall be entitled to recover from the employer the amount expended.

(3) No such claim for medical or surgical treatment shall be valid and enforceable, as against such employer, unless within 20 days following the first treatment, the physician giving such treatment shall furnish to the employer and the administrator a report of such injury and treatment on a form prescribed by the commission. The administrator may, however, excuse the failure to furnish such report within 20 days when he finds it to be in the interest of justice to do so, and he may, upon application by a party in interest, make award for the reasonable value of such medical or surgical treatment so obtained by the employee.

(4) If at any time during such period the employee unreasonably refuses to submit to medical or surgical treatment, the administrator may, by order, suspend the payment of further compensation during such time as such refusal continues.

(b) Whenever, in the opinion of the administrator, a physician has not impartially estimated the degree of permanent disability or the extent of temporary disability of any injured employee, the administrator shall have the power to cause such employee to be examined by a physician selected by the administrator and to obtain a report containing the physician's estimate of such disabilities. If the report of the second physician shows that the estimate of the first physician has not been impartial from the standpoint of such employee, the administrator shall have the power, at his discretion, to charge the cost of such examination to the employer.

(c) Any fees and other charges for treatment or service shall be limited to such charges as prevail in the same community for similar treatment of injured persons.

(d) The liability of an employer for medical treatment as herein provided shall not be affected by the fact that his employee was injured through the fault or negligence of a third party, not in the same employment. The employer shall, however, have a cause of action against such third party to recover any amounts paid by him for such medical treatment in like manner as provided in 4 CMC § 9342.

Source: PL 6-33, § 1 (§ 9307).