

application made to it at any time by any party in interest, upon the presentation of facts showing that a controversy may exist in regard to the cause of death or the existence of any occupational disease. All proceedings for compensation shall be suspended upon refusal of a claimant or claimants to permit such autopsy when so ordered, and no compensation shall be payable for any period during which autopsy is refused.

The State Industrial Accident Commission shall refer every claim for compensation for an occupational disease to the Medical Board for investigation, hearing and report, excepting, however, such cases wherein there are no controverted medical issues. No award shall be made in any such case until the Medical Board shall have duly investigated and heard the case and made its report and its decisions with respect to all medical questions at issue. The date of disablement, if in dispute, shall be deemed a medical question.

The Medical Board, upon reference to it of a claim for occupational disease, shall notify the claimant or claimants and the employer to appear before it at a time and place stated in said notice. At such hearing either party may offer testimony of such witnesses as they may desire, which shall become a part of the record of the proceedings before the Medical Board. If the employee be living, he shall appear before the Medical Board at the time and place specified and shall then or thereafter submit to such examinations, including clinical and X-ray examinations, as the Medical Board may require. The claimant and the employer or his insurance carrier shall each be entitled, at his own expense, to have present at all examinations conducted by the Medical Board, a physician admitted to practice medicine in the State who shall be given every reasonable facility for participating in every such examination. If a physician admitted to practice medicine in the State shall certify that the employee is physically unable to appear at the time and place designated by the Medical Board, the Board shall, on notice to the parties, change the place and time of examination to such other place and time as may reasonably facilitate the examination of the employee. Proceedings shall be suspended and no compensation shall be payable for any period during which the employee may refuse to submit to such examination.

The Medical Board shall, as soon as practicable after it has completed its consideration of the case, report in writing its findings and conclusions on every medical question in controversy. If the date of disablement is controverted and cannot be exactly fixed scientifically, the Medical Board shall fix the most probable date, having regard to all the circumstances of the case. The Medical Board shall also include in its report a statement indicating the physician or physicians, if any, who appeared before it, and what, if any, medical reports and X-rays were considered by it.

1939, ch. 465, sec. 32-I.

42. The Medical Board shall file with the State Industrial Accident Commission the records of all proceedings had before the Medical Board, including transcript of the testimony of all witnesses appearing on behalf of the claimant and the employer, together with its own report and findings upon all medical questions involved in the claim. Included in such record shall be the findings of the Medical Board, determining the nature of the disease, the extent of injury and the degree of disability sustained by the claimant.