

IF THE EMPLOYER OR ITS INSURER FAILS TO MAKE A REPAIR OR REPLACEMENT REQUIRED UNDER SUBSECTION (A) OF THIS SECTION, THE COVERED EMPLOYEE MAY MAKE THE REPAIR OR REPLACEMENT AT THE EXPENSE OF THE EMPLOYER OR ITS INSURER.

(C) COMPENSATION FOR LOST TIME.

IF THE EMPLOYER OR ITS INSURER FAILS TO MAKE A REPAIR OR REPLACEMENT REQUIRED UNDER SUBSECTION (A) OF THIS SECTION WITHIN 3 DAYS AFTER THE DAMAGE OR DESTRUCTION OCCURS, THE COMMISSION MAY ORDER THE EMPLOYER OR ITS INSURER TO PAY COMPENSATION TO THE COVERED EMPLOYEE FOR ANY LOST TIME, SUBJECT TO THE WAITING PERIOD UNDER § 9-620 OF THIS SUBTITLE.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 101, § 37(b).

Throughout this section, the references to the "insurer" of the employer are added to clarify that the employer or its insurer is responsible for repairing or replacing eyeglasses or prosthetic appliances under this section and to conform to other provisions of this subtitle.

In subsection (a) and (c) of this section, the words "prosthetic appliance" are substituted for the former word "part", for clarity.

In subsection (c) of this section, the word "order" is substituted for the former word "direct", to conform to terminology used throughout this article.

Defined terms: "Commission" § 9-101

"Compensation" § 9-101 "Covered employee" § 9-101

9-662. PROVIDING EXCESSIVE TREATMENT.

IF THE CHAIRMAN OF THE COMMISSION FINDS OR HAS REASONABLE CAUSE TO BELIEVE THAT A PHYSICIAN OR HEALTH CARE PROVIDER HAS A PATTERN OF PROVIDING EXCESSIVE APPLIANCES, MEDICINE, SERVICES, OR TREATMENT, THE CHAIRMAN SHALL REFER THE CASE TO THE STATE BOARD OF PHYSICIAN QUALITY ASSURANCE OR THE APPROPRIATE BOARD OF REVIEW OF THE HEALTH CARE PROVIDER TO DETERMINE IF THE PHYSICIAN OR HEALTH CARE PROVIDED EXCESSIVE APPLIANCES, MEDICINE, SERVICES, OR TREATMENT.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 101, § 37(g).

The former word "practice" is deleted as surplusage.

Defined term: "Commission" § 9-101