

1995 SESSION

INTRODUCED

LD7595378

HOUSE BILL NO. 1944

Offered January 20, 1995

A BILL to amend and reenact § 65.2-605 of the Code of Virginia, relating to liability of employer for medical services ordered by Workers' Compensation Commission.

Patrons—Nelms, Bloxom, Fisher, Hamilton, Hargrove, Newman, Parrish, Purkey, Spruill, Tata and Wardrup; Senators: Chichester, Reasor and Wampler

Referred to Committee on Labor and Commerce

Be it enacted by the General Assembly of Virginia:

1. That § 65.2-605 of the Code of Virginia is amended and reenacted as follows:

§ 65.2-605. Liability of employer for medical services ordered by Commission; malpractice.

The pecuniary liability of the employer for medical, surgical, and hospital service herein required when ordered by the Commission shall be limited to such ~~charges~~ *amounts paid* as prevail in the same community for similar treatment when such treatment is paid for by the injured person and the employer shall not be liable in damages for malpractice by a physician or surgeon furnished by him pursuant to the provisions of § 65.2-603, but the consequences of any such malpractice shall be deemed part of the injury resulting from the accident and shall be compensated for as such. *For the purposes of this section, "community" shall be deemed to be the health systems area, as defined in § 65.2-1300, in which the treatment was rendered.*

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