

(b) This area shall be managed and administered under the provisions of chapters 27 and 28 of the statutes.

SECTION 2. This act shall take effect upon passage and publication.

Approved June 26, 1925.

No. 300, A.]

[Published July 1, 1925.

CHAPTER 405.

AN ACT to amend subsection (1) of section 102.09 of the statutes, relating to medical treatment under the workmen's compensation act.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

SECTION 1. Subsection (1) of section 102.09 of the statutes is amended to read: (102.09) (1) (a) Such medical, surgical and hospital treatment, medicines, medical and surgical supplies, crutches, and apparatus, or, at the option of the employe, if the employer has not filed notice as hereinafter provided, Christian Science treatment in lieu of medical treatment, medicines and medical supplies, as may be reasonably required for ninety days immediately following the accident, to cure and relieve from the effects of the injury, and for such additional period of time as in the judgment of the commission will tend to lessen the period of compensation disability, or in the case of permanent total disability for such period of time as the commission may deem advisable, and, in addition thereto, such artificial members as may be reasonably necessary at the end of the healing period, the same to be provided by the employer; and in case of his neglect or refusal seasonably to do so, the employer to be liable for the reasonable expense incurred by or on behalf of the employe in providing the same.

(b) The employe shall have the right to make choice of his attending physician from a panel of physicians to be named by the employer. Where the employer has knowledge of the injury and the necessity for treatment, his failure to tender the same shall constitute such neglect or refusal. Failure of the employer to maintain a reasonable number of competent and impartial physicians, ready to undertake the treatment of the employe, and

to permit the employe to make choice of his attendant from among them, shall constitute neglect and refusal to furnish such attendance and treatment.

(c) Artificial members furnished at the end of the healing period need not be duplicated. No compensation shall be payable for the death or disability of an employe, if his death be caused by or insofar as his disability may be aggravated, caused or continued by an unreasonable refusal or neglect to submit to or follow any competent and reasonable surgical treatment.

(d) Any employer may elect not to be subject to the provision for Christian Science treatment provided for in this subsection by filing written notice of such election with the industrial commission.

(e) In determining the reasonableness of the size of the medical panel, the commission shall take into account the number of competent physicians immediately available to the community in which the medical service is required, and where only one such physician is available in such community, the tender of attention by such physician shall be construed as a compliance with the provisions of this section. In no event shall the employer be required to maintain a panel of more than * * * five such physicians * * *. In such panel partners and clinics shall be deemed as one physician. *Every employer shall post a list of the names and addresses of the physicians on his panel in such manner as to afford his employes reasonable notice thereof.*

(f) *Whenever in the opinion of the industrial commission a panel physician has not impartially estimated the degree of permanent disability or the extent of temporary disability of any injured employe, the commission shall have the power to cause such employe to be examined by a physician selected by the commission and to obtain from such physician a report containing his estimate of such disabilities. If the report of such physician shows that the estimate of the panel physician has not been impartial from the standpoint of such employe, the commission shall have the power in its discretion to charge the cost of such examination to the employer, if he is a self-insurer, or to the insurance company which is carrying the risk.*

SECTION 2. This act shall take effect upon passage and publication.

Approved June 26, 1925.