

# HOUSE . . . . . No. 1843

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## The Commonwealth of Massachusetts

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In the Year Two Thousand Nine  
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An Act relative to professional liability insurance..

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1           SECTION 1. Section 15 of chapter 152 of the General Laws, as appearing in the 2002  
2   Official Edition, is hereby amended by replacing the next to last sentence with the following:-  
3   "Nothing in this section, or in section 18 or 24 shall be construed to bar an action at law for  
4   damages for personal injuries or wrongful death by an employee against any person other than  
5   (1) the insured person employing such employee and liable for the payment of the compensation  
6   provided by this chapter for the employee's personal injury or wrongful death and said persons  
7   employees, and (2) an insured employee leasing company and its client company, as defined in  
8   Section 14A of this chapter, if each are in compliance with the requirements of this chapter.

9           SECTION 2. Section 14A of Chapter 152 of the General Laws, is hereby amended by  
10   replacing subsection 2 with the following: - "The commissioner shall establish by regulation that  
11   the employee leasing company shall be the policyholder of a workers' compensation insurance  
12   policy providing coverage to employees leased to client companies, and the manner and method  
13   of determining the appropriate premiums of clients companies and employee leasing  
14   companies.