

Sections 301.1 are 301.3 is hereby amended to read as follows and sections 301.2, 301.4, 301.5 and 301.6 are hereby repealed:

Section 301.1. Fees for attendance of physicians and podiatrists at hearings

Whenever the attendance of the injured employee's treating or consultant physician or podiatrist by deposition or at a hearing is required, such physician or podiatrist shall be entitled to a[n attendance] fee of \$450 [\$400 for one case at one hearing point]. In instances involving special circumstances, should the Board in its [Workers' Compensation Law judge in his or her] judgment deem that the appropriate fee specified above is inadequate, the Board [Workers' Compensation Law judge] may fix a fee in an amount greater than said sum for such hearing, such increased fee to be commensurate with the circumstances in the particular case. The circumstances to be considered are the period of time the physician or podiatrist has consumed in testifying, and traveling time from the physician's or podiatrist's office to the hearing point. Where the attendance is pursuant to a subpoena issued by the board, the Workers' Compensation Law judge, or any officer of the board so designated by the chair, the attendance fee may be limited to no more than \$100.

Section 301.3. Fees for attendance of chiropractors and psychologists at hearings

Whenever the attendance of the injured employee's treating or consultant chiropractor or psychologist by deposition or at a hearing is required, such chiropractor or psychologist shall be entitled to a[n attendance] fee of \$350 [\$300 for one case at one hearing point]. In instances involving special circumstances, [should the Workers' Compensation Law judge in his or her judgment deem that the appropriate fee specified herein is inadequate, the Workers' Compensation Law judge] the Board may fix a fee in an amount greater than the said sum, such increased fee to be commensurate with the circumstances in the particular case. Where the attendance is pursuant to a subpoena issued by the board, the Workers' Compensation Law judge or any officer of the board so designated by the chair, the attendance fee may be limited to no more than \$70.