

7636

I N S E N A T E

May 21, 2014

Introduced by Sen. GRISANTI -- read twice and ordered printed, and when printed to be committed to the Committee on Local Government

AN ACT to amend the general municipal law, in relation to optional disability coverage for court officers in the county of Erie

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 Section 1. Subdivision 1 of section 207-c of the general municipal
2 law, as amended by section 3 of chapter 675 of the laws of 1997, is
3 amended to read as follows:
4 1. Any sheriff, undersheriff, deputy sheriff or corrections officer of
5 the sheriff's department of any county (hereinafter referred to as a
6 "policeman") or any member of a police force of any county, city of less
7 than one million population, town or village, or of any district, agen-
8 cy, board, body or commission thereof, or a detective-investigator or
9 any other investigator who is a police officer pursuant to the
10 provisions of the criminal procedure law employed in the office of a
11 district attorney of any county, or any corrections officer of the coun-
12 ty of Erie department of corrections, OR ANY FAMILY COURT OFFICER
13 EMPLOYED BY THE COUNTY OF ERIE, or an advanced ambulance medical techni-
14 cian employed by the county of Nassau, or any supervising fire inspec-
15 tor, fire inspector, fire marshal or assistant fire marshal employed
16 full-time in the county of Nassau fire marshal's office, or at the
17 option of the county of Nassau, any probation officer of the county of
18 Nassau who is injured in the performance of his duties or who is taken
19 sick as a result of the performance of his duties so as to necessitate
20 medical or other lawful remedial treatment shall be paid by the munici-
21 pality by which he is employed the full amount of his regular salary or
22 wages until his disability arising therefrom has ceased, and, in addi-
23 tion such municipality shall be liable for all medical treatment and
24 hospital care necessitated by reason of such injury or illness.
25 Provided, however, and notwithstanding the foregoing provisions of this
26 section, the municipal health authorities or any physician appointed for
27 the purpose by the municipality, after a determination has first been
28 made that such injury or sickness was incurred during, or resulted from,

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets
[] is old law to be omitted.

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1 such performance of duty, may attend any such injured or sick policeman,
2 from time to time, for the purpose of providing medical, surgical or
3 other treatment, or for making inspections and the municipality shall
4 not be liable for salary or wages payable to such policeman, or for the
5 cost of medical treatment or hospital care furnished after such date as
6 such health authorities or physician shall certify that such injured or
7 sick policeman has recovered and is physically able to perform his regu-
8 lar duties. Any injured or sick policeman who shall refuse to accept
9 medical treatment or hospital care or shall refuse to permit medical
10 inspections as herein authorized, including examinations pursuant to
11 subdivision two of this section, shall be deemed to have waived his
12 rights under this section in respect to expenses for medical treatment
13 or hospital care rendered and for salary or wages payable after such
14 refusal.

15 Notwithstanding any provision of law to the contrary, a provider of
16 medical treatment or hospital care furnished pursuant to the provisions
17 of this section shall not collect or attempt to collect reimbursement
18 for such treatment or care from any such policeman, a member of a police
19 force of any county, city, any such advanced ambulance medical techni-
20 cian or any such detective-investigator or any other such investigator
21 who is a police officer pursuant to the provisions of the criminal
22 procedure law.

23 S 2. Subdivision 1 of section 207-c of the general municipal law, as
24 amended by section 4 of chapter 675 of the laws of 1997, is amended to
25 read as follows:

26 1. Any sheriff, undersheriff, deputy sheriff or corrections officer of
27 the sheriff's department of any county or any member of a police force
28 of any county, city of less than one million population, town or
29 village, or of any district, agency, board, body or commission thereof,
30 or any LIRR police officer as defined in paragraph two of subdivision a
31 of section three hundred eighty-nine of the retirement and social secu-
32 rity law whose benefits are provided in and pursuant to such section
33 three hundred eighty-nine, or a detective-investigator or any other
34 investigator who is a police officer pursuant to the provisions of the
35 criminal procedure law employed in the office of a district attorney of
36 any county, or any corrections officer of the county of Erie department
37 of corrections, OR ANY FAMILY COURT OFFICER EMPLOYED BY THE COUNTY OF
38 ERIE, or an advanced ambulance medical technician employed by the county
39 of Nassau, or any supervising fire inspector, fire inspector, fire
40 marshal, or assistant fire marshal employed full-time in the county of
41 Nassau fire marshal's office, or at the option of the county of Nassau,
42 any probation officer of the county of Nassau who is injured in the
43 performance of his duties or who is taken sick as a result of the
44 performance of his duties so as to necessitate medical or other lawful
45 remedial treatment shall be paid by the municipality or The Long Island
46 Rail Road Company by which he is employed the full amount of his regular
47 salary or wages from such employer until his disability arising there-
48 from has ceased, and, in addition such municipality or The Long Island
49 Rail Road Company shall be liable for all medical treatment and hospital
50 care necessitated by reason of such injury or illness. Provided, howev-
51 er, and notwithstanding the foregoing provisions of this section, the
52 municipal or The Long Island Rail Road Company health authorities or any
53 physician appointed for the purpose by the municipality or The Long
54 Island Rail Road Company, as relevant, after a determination has first
55 been made that such injury or sickness was incurred during, or resulted
56 from, such performance of duty, may attend any such injured or sick

1 policeman, from time to time, for the purpose of providing medical,
2 surgical or other treatment, or for making inspections, and the munici-
3 pality or The Long Island Rail Road Company, as the case may be, shall
4 not be liable for salary or wages payable to such policeman, or for the
5 cost of medical treatment or hospital care furnished after such date as
6 such health authorities or physician shall certify that such injured or
7 sick policeman has recovered and is physically able to perform his regu-
8 lar duties. Any injured or sick policeman who shall refuse to accept
9 medical treatment or hospital care or shall refuse to permit medical
10 inspections as herein authorized, including examinations pursuant to
11 subdivision two of this section, shall be deemed to have waived his
12 rights under this section in respect to expenses for medical treatment
13 or hospital care rendered and for salary or wages payable after such
14 refusal.

15 Notwithstanding any provision of law to the contrary, a provider of
16 medical treatment or hospital care furnished pursuant to the provisions
17 of this section shall not collect or attempt to collect reimbursement
18 for such treatment or care from any such policeman or any such advanced
19 ambulance medical technician.

20 S 3. This act shall take effect immediately, provided that the amend-
21 ments to subdivision 1 of section 207-c of the general municipal law
22 made by section one of this act shall be subject to the expiration and
23 reversion of such subdivision pursuant to section 7 of chapter 628 of
24 the laws of 1991, as amended, when upon such date the provisions of
25 section two of this act shall take effect.