

STATE OF NEW YORK

5339

2017-2018 Regular Sessions

IN SENATE

March 22, 2017

Introduced by Sens. MURPHY, FUNKE -- read twice and ordered printed, and when printed to be committed to the Committee on Labor

AN ACT to amend the workers' compensation law, in relation to the creation of an advisory committee on independent medical examinations

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Section 13-n of the workers' compensation law is amended by
2 adding a new subdivision 4 to read as follows:

3 4. (a) There is hereby established in the board an advisory committee
4 on independent medical examinations which shall consist of eight
5 members. Two members shall be appointed by the governor, two by the
6 temporary president of the senate and two by the speaker of the assem-
7 bly; and the chief executive officers of the New York State American
8 Federation of Labor-Congress of Industrial Organizations and the Busi-
9 ness Council of New York State shall be members by virtue of their
10 offices. The chief executive officers of the New York State American
11 Federation of Labor-Congress of Industrial Organizations and the Busi-
12 ness Council of New York State may designate representatives to act in
13 their place or stead and on their behalf as members of such advisory
14 committee. In addition, the chair, executive director of the state
15 insurance fund and the commissioner of health or their designated repre-
16 sentatives shall be invited to attend and participate in all meetings.

17 (b) It shall be the duty of the advisory committee to advise, counsel
18 and confer with the chair and executive director of the state insurance
19 fund on matters of policy in connection with the administration and
20 enforcement of laws and regulations relating to independent medical
21 examinations. The advisory committee shall review existing and proposed
22 state laws, rules and regulations pertaining to independent medical
23 examinations and recommend to the chair, executive director of the state
24 insurance fund and the legislature, necessary changes or additions to
25 laws, rules, regulations and board programs to improve medical care for

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

LBD10750-01-7

1 injured workers, the effectiveness of the board's regulation of inde-
2 pendent medical examinations, examiners and independent medical examina-
3 tion organizations and enforcement activities.

4 (c) The chair shall assign staff to assist the advisory committee as
5 necessary and shall provide necessary information and space for meetings
6 of the advisory committee. The advisory committee shall keep a record of
7 its meetings and recommendations.

8 (d) The advisory committee shall meet at the call of the chair or any
9 member and at such other times as it may deem necessary and at such
10 places as may be convenient. In any event, meetings shall be held at
11 least once per state fiscal quarter. An initial meeting shall be held
12 within sixty days after the effective date of this subdivision.

13 § 2. This act shall take effect immediately.