

STATE OF NEW YORK

9238

IN SENATE

May 12, 2022

Introduced by Sen. GOUNARDES -- read twice and ordered printed, and when printed to be committed to the Committee on Civil Service and Pensions

AN ACT to amend the retirement and social security law, in relation to disability retirement benefits for the presumption of post-traumatic stress disorder for certain titles

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

1 Section 1. The retirement and social security law is amended by adding
2 a new section 605-g to read as follows:

3 § 605-g. Disability retirement for certain dispatchers. 1. A member
4 employed as a county 911 dispatcher, a county 911 dispatcher supervisor,
5 a New York city fire alarm dispatcher, a New York city supervising fire
6 alarm dispatcher level one or a New York city supervising fire alarm
7 dispatcher level two shall be entitled to disability retirement allow-
8 ance, if, at the time application therefor is filed, such member is
9 physically or mentally incapacitated for performance of duty as a result
10 of contracting post-traumatic stress disorder while so employed and as a
11 result of his or her employment.

12 2. Notwithstanding any provision of this chapter or of any general,
13 special or local law to the contrary, any member who is a county 911
14 dispatcher, a county 911 dispatcher supervisor, a New York city fire
15 alarm dispatcher, a New York city supervising fire alarm dispatcher
16 level one or a New York city supervising fire alarm dispatcher level two
17 who is diagnosed as suffering from post-traumatic stress disorder
18 resulting in disability to such fire alarm dispatcher, presently
19 employed, and who shall have sustained such disability while so
20 employed, shall have such diagnosis be presumptive evidence that such
21 disability was incurred in the performance and discharge of duty, unless
22 the contrary be proven by competent evidence.

23 3. The annual retirement allowance payable shall be equal to the
24 three-quarters of his or her final average salary.

25 § 2. This act shall take effect immediately.

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

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