

STATE OF NEW YORK

8885

2025-2026 Regular Sessions

IN ASSEMBLY

June 9, 2025

Introduced by M. of A. PRETLOW -- read once and referred to the Committee on Labor

AN ACT to amend the workers' compensation law, in relation to the notice required for the termination of temporary payments of compensation and the notice required for cessation of compensation payments

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

1 Section 1. Subdivision 3 of section 21-a of the workers' compensation
2 law, as amended by chapter 6 of the laws of 2007, is amended to read as
3 follows:

4 3. An employer may cease making temporary payments of compensation and
5 prescribed medicine if such employer delivers within [~~five~~] **sixteen** days
6 after the last payment, to the injured employee and the board, a notice
7 of termination of temporary payments of compensation on a form
8 prescribed by the board. Such notice shall inform the injured employee
9 that the employer is ceasing temporary payment of compensation and
10 prescribed medicine. Upon the cessation of temporary payments of compen-
11 sation and prescribed medicine, all parties to any action pursuant to
12 this chapter shall retain all rights, defenses and obligations they
13 would otherwise have pursuant to this chapter without regard for the
14 temporary payment of compensation and prescribed medicine.

15 § 2. Subdivision 3 of section 21-a of the workers' compensation law,
16 as amended by section 1 of part CC of chapter 55 of the laws of 2025, is
17 amended to read as follows:

18 3. An employer may cease making temporary payments of compensation and
19 medical treatment and care, including prescribed medicine if such
20 employer delivers within [~~five~~] **sixteen** days after the last payment, to
21 the injured employee and the board, a notice of termination of temporary
22 payments of compensation on a form prescribed by the board. Such notice
23 shall inform the injured employee that the employer is ceasing temporary
24 payment of compensation and medical treatment and care, including

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

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1 prescribed medicine. Upon the cessation of temporary payments of compen-
2 sation and medical treatment and care, including prescribed medicine,
3 all parties to any action pursuant to this chapter shall retain all
4 rights, defenses and obligations they would otherwise have pursuant to
5 this chapter without regard for the temporary payment of compensation
6 and medical treatment and care, including prescribed medicine.

7 § 3. Paragraph (d) of subdivision 1 of section 25 of the workers'
8 compensation law, as amended by chapter 635 of the laws of 1996, is
9 amended to read as follows:

10 (d) Whenever for any reason compensation payments cease, the employer
11 or its insurance carrier shall within [~~sixteen~~] thirty days thereafter,
12 send to the chair a notice on a form prescribed by the chair that such
13 payment has been stopped, which notice shall contain the name of the
14 injured employee or [~~his or her~~] such employee's principle dependent,
15 the date of accident, the date to which compensation has been paid and
16 the whole amount of compensation paid. In case the employer or its
17 insurance carrier fails so to notify the chair of the cessation of
18 payments within [~~sixteen~~] thirty days after the date on which compen-
19 sation has been paid, the board may impose a penalty upon such employer
20 or its insurance carrier in the amount of three hundred dollars, which
21 shall be paid to the claimant. Such penalty shall be collected in like
22 manner as an award of compensation.

23 § 4. This act shall take effect immediately; provided, however, that
24 section two of this act shall take effect on the same date and in the
25 same manner as section 1 of part CC of chapter 55 of the laws of 2025,
26 takes effect.