S T A T E O F N E W Y O R K

8298--A

2009-2010 Regular Sessions

I N A S S E M B L Y

May 13, 2009

Introduced by M. of A. JOHN, SCHROEDER, GORDON -- read once and referred to the Committee on Local Governments -- recommitted to the Committee on Local Governments in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the volunteer firefighters' benefit law, in relation to the expansion of coverage to include cancer of the digestive, hematological, lymphatic, urinary and prostate systems

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

Section 1. The volunteer firefighters' benefit law is amended by adding a new section 11-d to read as follows:

S 11-D. CERTAIN IMPAIRMENTS OF HEALTH; PRESUMPTION. NOTWITHSTANDING ANY OTHER PROVISION OF THIS CHAPTER TO THE CONTRARY, ANY (I) MELANOMA OR (II) CONDITION OF CANCER AFFECTING LYMPHATIC, DIGESTIVE, HEMATOLOGICAL, URINARY OR PROSTATE SYSTEMS, RESULTING IN TOTAL OR PARTIAL DISABILITY OR DEATH TO A VOLUNTEER FIREFIGHTER, WHO SUCCESSFULLY PASSED A PHYSICAL EXAMINATION ON ENTRY INTO FIREFIGHTER SERVICE, WHICH EXAMINATION FAILED TO REVEAL ANY EVIDENCE OF SUCH A MELANOMA OR CONDITION, SHALL BE PRESUMPTIVE EVIDENCE THAT IT WAS INCURRED IN THE PERFORMANCE AND DISCHARGE OF DUTY UNLESS THE CONTRARY BE PROVED BY COMPETENT EVIDENCE. THE PROVISIONS OF THIS SECTION SHALL REMAIN IN FULL FORCE AND EFFECT TO AND INCLUDING THE THIRTIETH DAY OF JUNE, TWO THOUSAND THIRTEEN.

S 2. This act shall take effect immediately.

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

LBD11621-03-0