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

619

2009-2010 Regular Sessions

I N A S S E M B L Y

(PREFILED)

January 7, 2009

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

AN ACT to amend the workers' compensation law, in relation to payment of disability benefits

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

Section 1. Subdivision 1 of section 208 of the workers' compensation law, as added by chapter 600 of the laws of 1949, is amended to read as follows:

1. Benefits provided under this article shall be paid periodically and promptly and, except as to a contested period of disability, without any decision by the board. The first payment of benefits shall be due on the fourteenth day of disability and benefits for that period shall be paid directly to the employee within four business days thereafter or within four business days after the filing of required proof of claim, whichever is the later. Thereafter benefits shall be due and payable bi-weekly in like manner. The chairman may determine that benefits may be paid monthly or semi-monthly if wages were so paid, and may authorize deviation from the foregoing requirements to facilitate prompt payment of benefits. ANY INQUIRY WHICH REQUIRES THE EMPLOYEE'S RESPONSE IN ORDER TO CONTINUE BENEFITS UNINTERRUPTED OR UNMODIFIED SHALL PROVIDE A REASONABLE TIME PERIOD IN WHICH TO RESPOND AND INCLUDE A CLEAR AND PROMINENT STATEMENT OF THE DEADLINE FOR RESPONDING AND CONSEQUENCES OF FAILING TO RESPOND.

S 2. This act shall take effect on the thirtieth day after it shall have become a law.

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

LBD00420-01-9