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

7482

2009-2010 Regular Sessions

I N A S S E M B L Y

April 9, 2009

Introduced by M. of A. GALEF, FIELDS, GUNTHER, KOON, GABRYSZAK, LUPARDO, BURLING, KOLB, ALFANO, ERRIGO, RAIA, FINCH, P. LOPEZ, SCHROEDER -- Multi-Sponsored by -- M. of A. BACALLES, CHRISTENSEN, CONTE, CROUCH, DelMONTE, DESTITO, EDDINGTON, GIGLIO, MAGEE, MAGNARELLI, MAISEL, McDONOUGH, McENENY, MOLINARO, PHEFFER, QUINN, SALADINO, SCHIMEL, TOWNSEND, WEISENBERG -- read once and referred to the Committee on Local Governments

AN ACT to amend the volunteer firefighters' benefit law and the volunteer ambulance workers' benefit law, in relation to medical assistance rendered by firefighters and EMS personnel while such workers are off duty or outside their jurisdiction or area of responsibility

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

Section 1. Legislative intent. This legislation is designed to protect the citizens of the state of New York by encouraging the provision of emergency medical services by trained medical personnel. By offering firefighters and EMS personnel coverage under the volunteer firefighters' benefit law and the volunteer ambulance workers' benefit law, this legislation encourages such workers to continue to assist at emergencies regardless of accident location or whether they are off duty. Currently, there is a strong disincentive to assist in an emergency situation if the location of the accident is outside the worker's jurisdiction or if the worker is off duty. This legislation will eliminate this disincentive and will do away with the dilemma faced by emergency medical services workers when they are the first to arrive at an accident scene while off duty or at an accident scene that is out of their jurisdiction. This bill will also improve the general welfare of the citizens of the state by improving the availability of trained medical personnel.

S 2. Subdivision 1 of section 5 of the volunteer firefighters' benefit law is amended by adding a new paragraph q to read as follows:

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

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Q. WHILE, WITHIN THIS STATE, ASSISTING IN EXTINGUISHING A FIRE OR RENDERING MEDICAL ASSISTANCE WHILE OFF DUTY OR WHILE AT THE SCENE OF A FIRE OR AN ACCIDENT THAT IS LOCATED OUTSIDE THE JURISDICTION OR AREA OF RESPONSIBILITY OF THE VOLUNTEER FIREFIGHTER WHEN SUCH ASSISTANCE WAS PROVIDED PRIOR TO THE ARRIVAL OF AN OFFICER IN COMMAND WITHIN SUCH JURISDICTION AND THE BOARD OF FIRE COMMISSIONERS OR OTHER GOVERNING BODY OF THE FIRE DISTRICT GRANTS BY RESOLUTION EXPRESS PERMISSION ALLOWING FOR THE OFFERING OF SUCH ASSISTANCE, UNLESS THE LEGISLATIVE BODY OF THE CITY OR THE VILLAGE, OR THE TOWN BOARD OF THE TOWN IN RELATION TO (1) THE FIRE COMPANIES SERVING TERRITORY OUTSIDE VILLAGES AND FIRE DISTRICTS OR (2) A TOWN FIRE DEPARTMENT, AS THE CASE MAY BE, BY RESOLUTION HERETOFORE OR HEREAFTER ADOPTED, HAS FORBIDDEN THE ACCEPTANCE OF ANY ASSISTANCE.

S 3. Subdivision 1 of section 5 of the volunteer ambulance workers' benefit law is amended by adding a new paragraph l to read as follows:

L. WHILE, WITHIN THIS STATE, RENDERING MEDICAL ASSISTANCE WHILE OFF DUTY OR WHILE AT THE SCENE OF A FIRE OR AN ACCIDENT THAT IS LOCATED OUTSIDE THE JURISDICTION OR AREA OF RESPONSIBILITY OF THE VOLUNTEER AMBULANCE WORKER WHEN SUCH ASSISTANCE WAS PROVIDED PRIOR TO THE ARRIVAL OF THE OFFICER IN COMMAND WITHIN SUCH JURISDICTION AND THE GOVERNING BODY OF THE AMBULANCE COMPANY OR AMBULANCE DISTRICT GRANTS BY RESOLUTION EXPRESS PERMISSION ALLOWING FOR THE OFFERING OF SUCH ASSISTANCE, UNLESS THE LEGISLATIVE BODY OF THE CITY OR THE VILLAGE, OR THE TOWN BOARD OF THE TOWN IN RELATION TO (1) AN AMBULANCE COMPANY SERVING TERRITORY OUTSIDE VILLAGES AND AMBULANCE DISTRICTS OR (2) AN AMBULANCE DISTRICT IN A TOWN, AS THE CASE MAY BE, BY RESOLUTION HERETOFORE OR HEREAFTER ADOPTED, HAS FORBIDDEN THE ACCEPTANCE OF ANY SUCH ASSISTANCE.

S 4. This act shall take effect immediately.