

4731

2009-2010 Regular Sessions

I N S E N A T E

April 27, 2009

Introduced by Sen. LEIBELL -- read twice and ordered printed, and when printed to be committed to the Committee on Local Government

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:

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

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

18 Q. WHILE, WITHIN THIS STATE, ASSISTING IN EXTINGUISHING A FIRE OR
19 RENDERING MEDICAL ASSISTANCE WHILE OFF DUTY OR WHILE AT THE SCENE OF A
20 FIRE OR AN ACCIDENT THAT IS LOCATED OUTSIDE THE JURISDICTION OR AREA OF
21 RESPONSIBILITY OF THE VOLUNTEER FIREFIGHTER WHEN SUCH ASSISTANCE WAS
22 PROVIDED PRIOR TO THE ARRIVAL OF AN OFFICER IN COMMAND WITHIN SUCH
23 JURISDICTION AND THE BOARD OF FIRE COMMISSIONERS OR OTHER GOVERNING BODY

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

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1 OF THE FIRE DISTRICT GRANTS BY RESOLUTION EXPRESS PERMISSION ALLOWING
2 FOR THE OFFERING OF SUCH ASSISTANCE, UNLESS THE LEGISLATIVE BODY OF THE
3 CITY OR THE VILLAGE, OR THE TOWN BOARD OF THE TOWN IN RELATION TO (1)
4 THE FIRE COMPANIES SERVING TERRITORY OUTSIDE VILLAGES AND FIRE DISTRICTS
5 OR (2) A TOWN FIRE DEPARTMENT, AS THE CASE MAY BE, BY RESOLUTION HERETO-
6 FORE OR HEREAFTER ADOPTED, HAS FORBIDDEN THE ACCEPTANCE OF ANY ASSIST-
7 ANCE.

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

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

22 S 4. This act shall take effect immediately.