

5857

2009-2010 Regular Sessions

I N S E N A T E

June 12, 2009

Introduced by Sen. STAVISKY -- (at request of the State Insurance Fund)
-- read twice and ordered printed, and when printed to be committed to
the Committee on Rules

AN ACT to amend the workers' compensation law, in relation to rulemaking
by the state insurance fund

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

1 Section 1. Section 83 of the workers' compensation law, as amended by
2 chapter 149 of the laws of 2000, is amended to read as follows:
3 S 83. Rules. The commissioner shall adopt rules for the conduct of the
4 business of the state fund, and may from time to time alter, amend or
5 repeal any rule therefore adopted. At least [four] SIX affirmative votes
6 shall be required for the adoption of any rule, or the amendment or
7 repeal of any rule. No rule, and no resolution proposing to alter, amend
8 or repeal any rule, shall be effective unless approved by the commis-
9 sioner of labor. If the commissioner of labor fails to act upon any such
10 rule or resolution within thirty days after it is communicated to him or
11 her, such rule or resolution shall be deemed to have been approved.
12 The rules of the commissioners shall provide for the conduct of the
13 business of the state insurance fund, including the issuance of policies
14 and their terms and conditions, the fixing of premium rates, the keeping
15 of records, auditing of payrolls, and the billing and collection of
16 premiums therefor, the inspection of risks and the setting of the stand-
17 ards of safety, the adjustment and payment of claims and awards, and the
18 investigation of all matters relating thereto, the medical examination
19 of persons claiming compensation and the furnishing and supervision of
20 medical and surgical treatment to persons injured as set forth in this
21 chapter, the conduct of the legal business of the fund and the enforce-
22 ment of the subrogated rights of the fund against third parties, the
23 investment of the surplus and reserves of the fund, and the collection
24 and analysis of statistics of payrolls, premiums, losses and expenses
25 and the actuarial consideration thereof.
26 S 2. This act shall take effect immediately.

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

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