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

1552--A

2013-2014 Regular Sessions

I N A S S E M B L Y

(PREFILED)

January 9, 2013

Introduced by M. of A. KOLB, GUNTHER, PALMESANO, SKOUFIS -- Multi-Sponsored by -- M. of A. McLAUGHLIN -- 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, prostate, neurological, breast and reproductive systems; and providing for the repeal of such provisions upon expiration thereof

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, PROSTATE, NEUROLOGICAL, BREAST OR REPRODUCTIVE 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 PROVEN BY COMPETENT EVIDENCE.

S 2. This act shall take effect immediately and shall expire and be deemed repealed June 30, 2018.

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

LBD03324-02-4