

1 AND IS PHYSICALLY ABLE TO PERFORM HIS OR HER REGULAR DUTIES. ANY INJURED
2 OR SICK MEMBER WHO SHALL REFUSE TO ACCEPT MEDICAL TREATMENT OR HOSPITAL
3 CARE OR SHALL REFUSE TO PERMIT MEDICAL INSPECTIONS AS AUTHORIZED BY THIS
4 SUBDIVISION, INCLUDING EXAMINATIONS PURSUANT TO SECTION 363 OR 363-C OF
5 THE NEW YORK STATE RETIREMENT AND SOCIAL SECURITY LAW, SHALL BE DEEMED
6 TO HAVE WAIVED HIS OR HER RIGHTS UNDER THIS ARTICLE IN RESPECT TO
7 EXPENSES FOR MEDICAL TREATMENT OR HOSPITAL CARE RENDERED AND FOR SALARY
8 OR WAGES PAYABLE AFTER SUCH REFUSAL.

9 2. NOTWITHSTANDING ANY PROVISION OF LAW TO THE CONTRARY, A PROVIDER OF
10 MEDICAL TREATMENT OR HOSPITAL CARE FURNISHED PURSUANT TO THE PROVISIONS
11 OF THIS ARTICLE SHALL NOT COLLECT OR ATTEMPT TO COLLECT REIMBURSEMENT
12 FOR SUCH TREATMENT OR CARE FROM ANY SUCH MEMBER OF THE PORT AUTHORITY
13 POLICE.

14 3. PAYMENT OF THE FULL AMOUNT OF REGULAR SALARY OR WAGES, AS PROVIDED
15 BY SUBDIVISION ONE OF THIS ARTICLE SHALL BE DISCONTINUED WITH RESPECT TO
16 ANY MEMBER OF THE PORT AUTHORITY POLICE WHO IS PERMANENTLY DISABLED AS A
17 RESULT OF AN INJURY OR SICKNESS INCURRED OR RESULTING FROM THE PERFORM-
18 ANCE OF HIS OR HER DUTIES IF SUCH MEMBER IS GRANTED AN ACCIDENTAL DISA-
19 BILITY RETIREMENT ALLOWANCE PURSUANT TO SECTION 363 OF THE NEW YORK
20 STATE RETIREMENT AND SOCIAL SECURITY LAW, OR PERFORMANCE OF DUTY DISA-
21 BILITY ALLOWANCE PURSUANT TO SECTION 363-C OF THE NEW YORK STATE RETIRE-
22 MENT AND SOCIAL SECURITY LAW OR SIMILAR ACCIDENTAL DISABILITY PENSION
23 PROVIDED BY THE PENSION FUND OF WHICH HE OR SHE IS A MEMBER. IF APPLICA-
24 TION FOR SUCH RETIREMENT ALLOWANCE OR PENSION IS NOT MADE BY SUCH
25 MEMBER, APPLICATION THEREFOR MAY BE MADE BY THE CHIEF OF THE PORT
26 AUTHORITY POLICE DEPARTMENT.

27 4. IF SUCH A MEMBER IS NOT ELIGIBLE FOR OR IS NOT GRANTED SUCH ACCI-
28 DENTAL OR PERFORMANCE OF DUTY DISABILITY RETIREMENT PROVIDED FROM THE
29 PENSION FUND AND IS NEVERTHELESS, IN THE OPINION OF SUCH HEALTH AUTHORI-
30 TIES OR PHYSICIAN, UNABLE TO PERFORM HIS OR HER REGULAR DUTIES AS A
31 RESULT OF SUCH INJURY OR SICKNESS BUT IS ABLE, IN THEIR OPINION, TO
32 PERFORM SPECIFIED TYPES OF LIGHT POLICE DUTY, PAYMENT OF THE FULL AMOUNT
33 OF REGULAR SALARY OR WAGES, AS PROVIDED BY SUBDIVISION ONE OF THIS ARTI-
34 CLE, SHALL BE DISCONTINUED WITH RESPECT TO SUCH MEMBER IF HE OR SHE
35 SHALL REFUSE TO PERFORM SUCH LIGHT POLICE DUTY IF THE SAME IS AVAILABLE
36 AND OFFERED TO HIM OR HER, PROVIDED, HOWEVER, THAT SUCH LIGHT DUTY SHALL
37 BE CONSISTENT WITH HIS OR HER STATUS AS A MEMBER OF THE PORT AUTHORITY
38 POLICE AND SHALL ENABLE HIM OR HER TO CONTINUE TO BE ENTITLED TO HIS OR
39 HER REGULAR SALARY OR WAGES, INCLUDING INCREASES IF HE OR SHE WERE ABLE
40 TO PERFORM HIS OR HER REGULAR DUTIES.

41 5. IF SUCH A MEMBER IS NOT ELIGIBLE FOR OR IS NOT GRANTED AN ACCI-
42 DENTAL DISABILITY RETIREMENT ALLOWANCE OR PERFORMANCE OF DUTY DISABILITY
43 ALLOWANCE, HE OR SHE SHALL NOT BE ENTITLED TO FURTHER PAYMENT OF THE
44 FULL AMOUNT OF REGULAR SALARY OR WAGES, AS PROVIDED BY SUBDIVISION ONE
45 OF THIS ARTICLE, AFTER HE OR SHE SHALL HAVE ATTAINED THE MANDATORY
46 SERVICE RETIREMENT AGE APPLICABLE TO HIM OR HER OR SHALL HAVE SUFFICIENT
47 CREDIBLE POLICE EMPLOYMENT TO QUALIFY FOR A SERVICE RETIREMENT.

48 6. NOTWITHSTANDING ANY PROVISION OF LAW TO THE CONTRARY OR CONTAINED
49 IN THIS ARTICLE, A CAUSE OF ACTION SHALL ACCRUE TO THE PORT AUTHORITY
50 POLICE FOR REIMBURSEMENT IN SUCH SUM OR SUMS ACTUALLY PAID AS SALARY OR
51 WAGES AND/OR FOR MEDICAL TREATMENT AND HOSPITAL CARE AS AGAINST ANY
52 THIRD PARTY AGAINST WHOM THE MEMBER SHALL HAVE A CAUSE OF ACTION FOR THE
53 INJURY SUSTAINED OR SICKNESS CAUSED BY SUCH THIRD PARTY.

54 S 2. This act shall take effect upon the enactment into law by the
55 state of New Jersey of legislation having an identical effect with this
56 act, but if the state of New Jersey shall have already enacted such

1 legislation, this act shall take effect immediately; provided that the
2 chair of the port authority of New York and New Jersey shall notify the
3 legislative bill drafting commission upon the occurrence of the enact-
4 ment of the legislation provided for in section one of this act in order
5 that the commission may maintain an accurate and timely effective data
6 base of the official text of the laws of the state of New York in furth-
7 erance of effectuating the provisions of section 44 of the legislative
8 law and section 70-b of the public officers law.