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

4746

2013-2014 Regular Sessions

I N S E N A T E

April 22, 2013

Introduced by Sen. SAVINO -- read twice and ordered printed, and when printed to be committed to the Committee on Cities

AN ACT to amend the administrative code of the city of New York, in relation to city employees injured in the course of duty

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

Section 1. Subdivisions a and b and the closing paragraph of section 12-127 of the administrative code of the city of New York, subdivisions a and b as amended and the closing paragraph as added by chapter 806 of the laws of 1986, are amended to read as follows:

a. Any ACTIVE OR RETIRED member of the uniformed forces of the fire or police departments, OR ANY MEMBER WHO IS OTHERWISE SEPARATED FROM SUCH SERVICE WITH VESTED PENSION RIGHTS, or any person employed in the department of sanitation in the sanitation service classification of the classified civil service who shall be injured while actually employed in the discharge of police orders of his or her superior officers in the police station, fire house or sanitation section station, as the case may be, or as the result of illness traceable directly to the performance of police, fire or sanitation duty, as the case may be, or any employee of the department of parks, general services, ports and terminals or environmental protection or a person employed by the police commissioner as a school crossing guard who shall be injured while actually employed in the discharge of duty, shall be received by any hospital for care and treatment when such facts are certified to by the head of the department. Unless otherwise provided in this section, such members OR RETIRED OR VESTED MEMBERS shall be received by any hospital at the usual ward patient rates. The bill for such care and treatment at such rates, when certified by the superintendent or other person in charge of such hospital and approved by the head of the department concerned, shall be paid by the city.

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

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b. Any ACTIVE OR RETIRED member of the uniformed forces of the fire or police department, OR ANY MEMBER WHO IS OTHERWISE SEPARATED FROM SUCH SERVICE WITH VESTED PENSION RIGHTS, or any person employed in the department of sanitation in the sanitation service classification of the classified civil service or a person employed by the police commissioner as a school crossing guard who, while in the actual performance of duty, and by reason of the performance of such duty and without fault or misconduct on his or her part, shall receive injuries to an extent which may endanger his or her life, shall be received by any hospital for care and treatment, and shall be afforded such medical or surgical care and hospitalization as may be ordered by the chief medical officer of the respective departments in conformity with the provisions of this section. Such medical officer shall forthwith notify the comptroller of the care and hospitalization so ordered. The rate charged for such care and hospitalization for such member OR RETIRED OR VESTED MEMBER or such person shall not exceed the rate charged any person in receipt of an income equal to the salary of such member or of such person for the same accommodations. The comptroller and the heads of the departments affected shall make necessary rules and regulations to carry out the provisions of this section. Upon certification by the chief medical officer of the department concerned, the bill for such care and hospitalization, when certified by the superintendent or other person in charge of the hospital and approved by the head of the department concerned, shall be paid by the city.

Notwithstanding any provision of law to the contrary, a provider of medical treatment or hospital care furnished pursuant to the provisions of this section shall not collect or attempt to collect reimbursement for such treatment or care from any such city employee OR RETIRED OR VESTED MEMBER.

S 2. This act shall take effect immediately.