

7636--A

I N   S E N A T E

May 21, 2014

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Introduced by Sen. GRISANTI -- read twice and ordered printed, and when printed to be committed to the Committee on Local Government -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the general municipal law, in relation to optional disability coverage for court officers in the eighth judicial district

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

1     Section 1. Subdivision 1 of section 207-c of the general municipal  
2 law, as amended by section 3 of chapter 675 of the laws of 1997, is  
3 amended to read as follows:  
4     1. Any sheriff, undersheriff, deputy sheriff or corrections officer of  
5 the sheriff's department of any county (hereinafter referred to as a  
6 "policeman") or any member of a police force of any county, city of less  
7 than one million population, town or village, or of any district, agen-  
8 cy, board, body or commission thereof, or a detective-investigator or  
9 any other investigator who is a police officer pursuant to the  
10 provisions of the criminal procedure law employed in the office of a  
11 district attorney of any county, or any corrections officer of the coun-  
12 ty of Erie department of corrections, OR ANY OFFICER EMPLOYED BY THE  
13 EIGHTH JUDICIAL DISTRICT, or an advanced ambulance medical technician  
14 employed by the county of Nassau, or any supervising fire inspector,  
15 fire inspector, fire marshal or assistant fire marshal employed full-  
16 time in the county of Nassau fire marshal's office, or at the option of  
17 the county of Nassau, any probation officer of the county of Nassau who  
18 is injured in the performance of his duties or who is taken sick as a  
19 result of the performance of his duties so as to necessitate medical or  
20 other lawful remedial treatment shall be paid by the municipality by  
21 which he is employed the full amount of his regular salary or wages  
22 until his disability arising therefrom has ceased, and, in addition such  
23 municipality shall be liable for all medical treatment and hospital care  
24 necessitated by reason of such injury or illness.     Provided, however,  
25 and notwithstanding the foregoing provisions of this section, the munic-  
26 ipal health authorities or any physician appointed for the purpose by

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

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1 the municipality, after a determination has first been made that such  
2 injury or sickness was incurred during, or resulted from, such perform-  
3 ance of duty, may attend any such injured or sick policeman, from time  
4 to time, for the purpose of providing medical, surgical or other treat-  
5 ment, or for making inspections and the municipality shall not be liable  
6 for salary or wages payable to such policeman, or for the cost of  
7 medical treatment or hospital care furnished after such date as such  
8 health authorities or physician shall certify that such injured or sick  
9 policeman has recovered and is physically able to perform his regular  
10 duties. Any injured or sick policeman who shall refuse to accept medical  
11 treatment or hospital care or shall refuse to permit medical inspections  
12 as herein authorized, including examinations pursuant to subdivision two  
13 of this section, shall be deemed to have waived his rights under this  
14 section in respect to expenses for medical treatment or hospital care  
15 rendered and for salary or wages payable after such refusal.

16 Notwithstanding any provision of law to the contrary, a provider of  
17 medical treatment or hospital care furnished pursuant to the provisions  
18 of this section shall not collect or attempt to collect reimbursement  
19 for such treatment or care from any such policeman, a member of a police  
20 force of any county, city, any such advanced ambulance medical techni-  
21 cian or any such detective-investigator or any other such investigator  
22 who is a police officer pursuant to the provisions of the criminal  
23 procedure law.

24 S 2. Subdivision 1 of section 207-c of the general municipal law, as  
25 amended by section 4 of chapter 675 of the laws of 1997, is amended to  
26 read as follows:

27 1. Any sheriff, undersheriff, deputy sheriff or corrections officer of  
28 the sheriff's department of any county or any member of a police force  
29 of any county, city of less than one million population, town or  
30 village, or of any district, agency, board, body or commission thereof,  
31 or any LIRR police officer as defined in paragraph two of subdivision a  
32 of section three hundred eighty-nine of the retirement and social secu-  
33 rity law whose benefits are provided in and pursuant to such section  
34 three hundred eighty-nine, or a detective-investigator or any other  
35 investigator who is a police officer pursuant to the provisions of the  
36 criminal procedure law employed in the office of a district attorney of  
37 any county, or any corrections officer of the county of Erie department  
38 of corrections, OR ANY OFFICER EMPLOYED BY THE EIGHTH JUDICIAL DISTRICT,  
39 or an advanced ambulance medical technician employed by the county of  
40 Nassau, or any supervising fire inspector, fire inspector, fire marshal,  
41 or assistant fire marshal employed full-time in the county of Nassau  
42 fire marshal's office, or at the option of the county of Nassau, any  
43 probation officer of the county of Nassau who is injured in the perform-  
44 ance of his duties or who is taken sick as a result of the performance  
45 of his duties so as to necessitate medical or other lawful remedial  
46 treatment shall be paid by the municipality or The Long Island Rail Road  
47 Company by which he is employed the full amount of his regular salary or  
48 wages from such employer until his disability arising therefrom has  
49 ceased, and, in addition such municipality or The Long Island Rail Road  
50 Company shall be liable for all medical treatment and hospital care  
51 necessitated by reason of such injury or illness. Provided, however,  
52 and notwithstanding the foregoing provisions of this section, the munic-  
53 ipal or The Long Island Rail Road Company health authorities or any  
54 physician appointed for the purpose by the municipality or The Long  
55 Island Rail Road Company, as relevant, after a determination has first  
56 been made that such injury or sickness was incurred during, or resulted

1 from, such performance of duty, may attend any such injured or sick  
2 policeman, from time to time, for the purpose of providing medical,  
3 surgical or other treatment, or for making inspections, and the munici-  
4 pality or The Long Island Rail Road Company, as the case may be, shall  
5 not be liable for salary or wages payable to such policeman, or for the  
6 cost of medical treatment or hospital care furnished after such date as  
7 such health authorities or physician shall certify that such injured or  
8 sick policeman has recovered and is physically able to perform his regu-  
9 lar duties. Any injured or sick policeman who shall refuse to accept  
10 medical treatment or hospital care or shall refuse to permit medical  
11 inspections as herein authorized, including examinations pursuant to  
12 subdivision two of this section, shall be deemed to have waived his  
13 rights under this section in respect to expenses for medical treatment  
14 or hospital care rendered and for salary or wages payable after such  
15 refusal.

16 Notwithstanding any provision of law to the contrary, a provider of  
17 medical treatment or hospital care furnished pursuant to the provisions  
18 of this section shall not collect or attempt to collect reimbursement  
19 for such treatment or care from any such policeman or any such advanced  
20 ambulance medical technician.

21 S 3. This act shall take effect immediately, provided that the amend-  
22 ments to subdivision 1 of section 207-c of the general municipal law  
23 made by section one of this act shall be subject to the expiration and  
24 reversion of such subdivision pursuant to section 7 of chapter 628 of  
25 the laws of 1991, as amended, when upon such date the provisions of  
26 section two of this act shall take effect.