STATE OF NEW YORK

5339

2017-2018 Regular Sessions

IN SENATE

March 22, 2017

Introduced by Sens. MURPHY, FUNKE -- read twice and ordered printed, and when printed to be committed to the Committee on Labor

AN ACT to amend the workers' compensation law, in relation to the creation of an advisory committee on independent medical examinations

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Section 13-n of the workers' compensation law is amended by adding a new subdivision 4 to read as follows:

4. (a) There is hereby established in the board an advisory committee on independent medical examinations which shall consist of eight members. Two members shall be appointed by the governor, two by the temporary president of the senate and two by the speaker of the assembly; and the chief executive officers of the New York State American Federation of Labor-Congress of Industrial Organizations and the Business Council of New York State shall be members by virtue of their offices. The chief executive officers of the New York State American Federation of Labor-Congress of Industrial Organizations and the Business Council of New York State may designate representatives to act in their place or stead and on their behalf as members of such advisory committee. In addition, the chair, executive director of the state insurance fund and the commissioner of health or their designated representatives shall be invited to attend and participate in all meetings.

(b) It shall be the duty of the advisory committee to advise, counsel and confer with the chair and executive director of the state insurance fund on matters of policy in connection with the administration and enforcement of laws and regulations relating to independent medical examinations. The advisory committee shall review existing and proposed state laws, rules and regulations pertaining to independent medical examinations and recommend to the chair, executive director of the state insurance fund and the legislature, necessary changes or additions to laws, rules, regulations and board programs to improve medical care for

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

LBD10750-01-7

injured workers, the effectiveness of the board's regulation of independent medical examinations, examiners and independent medical examination organizations and enforcement activities.

(c) The chair shall assign staff to assist the advisory committee as necessary and shall provide necessary information and space for meetings of the advisory committee. The advisory committee shall keep a record of its meetings and recommendations.

(d) The advisory committee shall meet at the call of the chair or any member and at such other times as it may deem necessary and at such places as may be convenient. In any event, meetings shall be held at least once per state fiscal quarter. An initial meeting shall be held within sixty days after the effective date of this subdivision.

§ 2. This act shall take effect immediately.