

STATE OF NEW YORK

6144--A

2019-2020 Regular Sessions

IN SENATE

May 17, 2019

Introduced by Sens. ROBACH, GALLIVAN -- read twice and ordered printed, and when printed to be committed to the Committee on Local Government -- recommitted to the Committee on Local Government in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the general municipal law, in relation to ensuring paid employees of a county airport or county aviation department which perform fire response or fire rescue duties are eligible for equal benefits as other paid firefighters

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-a of the general municipal
2 law, as amended by chapter 476 of the laws of 2018, is amended to read
3 as follows:
4 1. Any paid firefighter which term as used in this section shall mean
5 any paid officer or member of an organized fire company or fire depart-
6 ment of a city of less than one million population, or town, village or
7 fire district, or any paid employee of a county airport or county
8 aviation department which performs fire response or fire rescue duties,
9 who is injured in the performance of his or her duties or who is taken
10 sick as a result of the performance of his or her duties so as to neces-
11 sitate medical or other lawful remedial treatment, shall be paid by the
12 municipality or fire district by which he or she is employed the full
13 amount of his or her regular salary or wages until his or her disability
14 arising therefrom has ceased, and, in addition, such municipality or
15 fire district shall be liable for all medical treatment and hospital
16 care furnished during such disability. Provided, however, and notwith-
17 standing the foregoing provisions of this section, the municipal health
18 authorities or any physician appointed for the purpose by the munici-
19 pality or fire district, may attend any such injured or sick firefight-
20 er, from time to time, for the purpose of providing medical, surgical or

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

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1 other treatment, or for making inspections and the municipality or fire
2 district shall not be liable for salary or wages payable to such a fire-
3 fighter, or for the cost of medical or hospital care or treatment
4 furnished, after such date as the health authorities or such physician
5 shall certify that such injured or sick firefighter has recovered and is
6 physically able to perform his or her regular duties in the company or
7 department. Any injured or sick firefighter who shall refuse to accept
8 such medical treatment or hospital care or shall refuse to permit
9 medical inspections as herein authorized, including examinations result-
10 ing from the application of subdivision two hereof, shall be deemed to
11 have waived his or her rights under this section in respect to expenses
12 incurred for medical treatment or hospital care or salary or wages paya-
13 ble after such refusal.

14 Notwithstanding any provision of law to the contrary, a provider of
15 medical treatment or hospital care furnished pursuant to the provisions
16 of this section shall not collect or attempt to collect reimbursement
17 for such treatment or care from any such member of the fire department
18 of any such city.

19 § 2. This act shall take effect immediately.