

# STATE OF NEW YORK

550

2019-2020 Regular Sessions

## IN ASSEMBLY

(Prefiled)

January 9, 2019

Introduced by M. of A. CAHILL, BYRNE, BRABENEC, RAIA, D'URSO, WALLACE, BRONSON, DiPIETRO, ASHBY -- Multi-Sponsored by -- M. of A. McDONOUGH, WALSH -- read once and referred to the Committee on Local Governments

AN ACT to amend the volunteer firefighters' benefit law and the volunteer ambulance workers' benefit law, in relation to the payment of death benefits

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

1 Section 1. The volunteer firefighters' benefit law is amended by  
2 adding a new section 7-b to read as follows:

3 § 7-b. Payment of death benefits. 1. All death benefits payable under  
4 section seven of this article shall be paid to the person or persons  
5 entitled to such benefit within ninety days of the date such person or  
6 persons files an application with the workers' compensation board to  
7 receive such benefit, except if the employer or insurance carrier files  
8 a notice of controversy with the chair of the workers' compensation  
9 board in accordance with section twenty-five of the workers' compen-  
10 sation law; provided that if there is a discrepancy in the claim for  
11 benefits that would prevent the claim from being processed within ninety  
12 days, the workers' compensation board shall provide written notice to  
13 the claimant within such ninety day period explaining the discrepancy  
14 and why the claim cannot be processed within the ninety day period.

15 2. The workers' compensation board shall conduct outreach services to  
16 provide coordinated information to the person or persons entitled to a  
17 death benefit payable under section seven of this article regarding  
18 assistance available to help such person or persons with the death bene-  
19 fit program's application procedures.

20 § 2. The volunteer ambulance workers' benefit law is amended by adding  
21 a new section 7-b to read as follows:

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

LBD03108-01-9

1     § 7-b. Payment of death benefits. 1. All death benefits payable under  
2 section seven of this article shall be paid to the person or persons  
3 entitled to such benefit within ninety days of the date such person or  
4 persons files an application with the workers' compensation board to  
5 receive such benefit, except if the employer or insurance carrier files  
6 a notice of controversy with the chair of the workers' compensation  
7 board in accordance with section twenty-five of the workers' compen-  
8 sation law; provided that if there is a discrepancy in the claim for  
9 benefits that would prevent the claim from being processed within ninety  
10 days, the workers' compensation board shall provide written notice to  
11 the claimant within such ninety day period explaining the discrepancy  
12 and why the claim cannot be processed within the ninety day period.

13     2. The workers' compensation board shall conduct outreach services to  
14 provide coordinated information to the person or persons entitled to a  
15 death benefit payable under section seven of this article regarding  
16 assistance available to help such person or persons with the death bene-  
17 fit program's application procedures.

18     § 3. This act shall take effect immediately.