

STATE OF NEW YORK

4939

2021-2022 Regular Sessions

IN ASSEMBLY

February 9, 2021

Introduced by M. of A. O'DONNELL -- read once and referred to the Committee on Labor

AN ACT to amend the workers' compensation law, in relation to benefits for police officers, correction officers, firefighters, and other emergency personnel diagnosed with PTSD

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

1 Section 1. Subdivision 3 of section 10 of the workers' compensation
2 law is amended by adding a new paragraph (c) to read as follows:

3 (c) Where a police officer, correction officer, firefighter, emergency
4 medical technician, paramedic, emergency dispatcher or other person
5 certified to provide medical care in emergencies is diagnosed by a
6 psychiatrist or psychologist to have post-traumatic stress disorder, it
7 shall be presumed to have been incurred during service in the line of
8 duty and shall be compensable, unless it is shown by a preponderance of
9 the evidence that the post-traumatic stress disorder was caused by
10 nonservice-connected risk factors or nonservice-connected exposure.
11 Such person who is diagnosed with post-traumatic stress disorder within
12 three years of the last active date of employment as a police officer,
13 correction officer, firefighter, emergency medical technician, paramed-
14 ic, emergency dispatcher or other person certified to provide medical
15 care in emergencies shall be eligible for benefits under this subdivi-
16 sion.

17 § 2. This act shall take effect immediately.

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

LBD08568-01-1