STATE OF NEW YORK

8726

IN ASSEMBLY

January 11, 2022

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

AN ACT to amend the workers' compensation law, in relation to requiring the workers' compensation board to appoint the uninsured employers' fund as the responsible party when the identity of the responsible insurance carrier for the employer cannot be determined within thirty days of the filing of a new claim

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

Section 1. The opening paragraph and paragraph (a) of subdivision 6-a of section 26-a of the workers' compensation law, as added by a chapter of the laws of 2021, amending the workers' compensation law in relation to requiring the workers' compensation board to appoint the uninsured employers' fund as the insurance carrier in cases when the identity of the responsible insurance carrier for the employer cannot be determined within ten days of the filing of a claim and to proceed with hearings and provide notices necessary to process such claim; and to make conforming technical changes, as proposed in legislative bills numbers S. 6628-A and A. 359-A, are amended to read as follows:

In the event that the board is unable to determine the identity of the responsible insurance carrier for the employer within [~~ten~~] **thirty** days of the filing of a new claim, the board shall:

(a) appoint the uninsured employers' fund as the [~~insurance carrier~~] **responsible party** until such time as the identity of the responsible insurance carrier for the employer is determined. Upon such appointment, the uninsured employers' fund shall immediately commence payments and provide medical care in accordance with the provisions of this chapter;

§ 2. This act shall take effect on the same date and in the same manner as a chapter of the laws of 2021, amending the workers' compensation law in relation to requiring the workers' compensation board to appoint the uninsured employers' fund as the responsible party in cases when the identity of the responsible insurance carrier for the employer cannot be determined within thirty days of the filing of a new claim, as proposed in legislative bills numbers S. 6628-A and A. 359-A, takes effect.

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

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