

STATE OF NEW YORK

1308

2021-2022 Regular Sessions

IN SENATE

January 11, 2021

Introduced by Sen. COONEY -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

AN ACT to amend the general municipal law, in relation to ensuring paid firefighters 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 a chapter of the laws of 2020 amending the general
3 municipal law relating to ensuring paid employees of a county airport or
4 county aviation department which perform fire response or fire rescue
5 duties are eligible for equal benefits as other paid firefighters, as
6 proposed in legislative bills numbers S. 6144-A and A. 7646-A, is
7 amended to read as follows:

8 1. Any paid firefighter which term as used in this section shall mean
9 any paid officer or member of an organized fire company or fire depart-
10 ment of a city of less than one million population, or town, village or
11 fire district, or any paid [~~employee~~ firefighter of a county airport or
12 county aviation department which performs fire response or fire rescue
13 duties, who is injured in the performance of his or her duties or who is
14 taken sick as a result of the performance of his or her duties so as to
15 necessitate medical or other lawful remedial treatment, shall be paid by
16 the municipality or fire district by which he or she is employed the
17 full amount of his or her regular salary or wages until his or her disa-
18 bility arising therefrom has ceased, and, in addition, such municipality
19 or fire district shall be liable for all medical treatment and hospital
20 care furnished during such disability. Provided, however, and notwith-
21 standing the foregoing provisions of this section, the municipal health
22 authorities or any physician appointed for the purpose by the munici-
23 pality or fire district, may attend any such injured or sick firefight-

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

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

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

20 § 2. This act shall take effect on the same date and in the same
21 manner as a chapter of the laws of 2020 amending the general municipal
22 law relating to ensuring paid employees of a county airport or county
23 aviation department which perform fire response or fire rescue duties
24 are eligible for equal benefits as other paid firefighters, as proposed
25 in legislative bills numbers S. 6144-A and A. 7646-A, takes effect.