STATE OF NEW YORK

1340

2021-2022 Regular Sessions

IN SENATE

January 11, 2021

Introduced by Sens. BROOKS, ADDABBO, BAILEY, HARCKHAM, MAYER, MYRIE, PARKER, PERSAUD -- read twice and ordered printed, and when printed to be committed to the Committee on Local Government

AN ACT to amend the volunteer firefighters' benefit law and the volunteer ambulance workers' benefit law, in relation to increasing the amount of certain benefits

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

Section 1. Section 8 of the volunteer firefighters' benefit law, as amended by chapter 401 of the laws of 2016, is amended to read as follows:

§ 8. Permanent total disability benefits. In the case of total disability adjudged to be permanent the volunteer firefighter shall be paid [~~six~~] **twelve** hundred dollars for each week during the continuance thereof. Permanent total disability, within the meaning of this section, shall exist only if the earning capacity of the volunteer firefighter has been lost permanently and totally as the result of the injury. The loss of both hands, or both arms, or both feet, or both legs, or both eyes, or any two thereof, shall, in the absence of conclusive proof to the contrary, constitute permanent total disability, but in all other cases permanent total disability shall be determined in accordance with the facts. Notwithstanding any other provisions of this chapter, an injured volunteer firefighter disabled due to the loss or total loss of use of both eyes, or both hands, or both arms, or both feet, or both legs, or any two thereof shall not suffer any diminution of such weekly benefit by engaging in business or employment provided his or her weekly earnings or wages, when combined with his or her weekly benefit shall not be in excess of [~~eight~~] **sixteen** hundred dollars; and further provided that the application of this section shall not result in reduction of benefits which an injured volunteer firefighter who is disabled due to the loss or total loss of use of both eyes, or both

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

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hands, or both arms, or both feet, or both legs, or any two thereof would otherwise be entitled to under any other provisions of this article.

§ 2. Section 9 of the volunteer firefighters' benefit law, as amended by chapter 924 of the laws of 1990, is amended to read as follows:

§ 9. Temporary total disability benefits. In the case of temporary total disability the volunteer firefighter shall be paid one hundred twenty-five dollars for each week during the continuance thereof; provided, however, that when the volunteer firefighter is injured in the line of duty on or after July first, nineteen hundred seventy-eight to December thirty-first, nineteen hundred seventy-eight, said firefighter shall receive one hundred eighty dollars per week during the continuance thereof; and further provided, that when the volunteer firefighter is injured in the line of duty on or after January first, nineteen hundred seventy-nine to June thirtieth, nineteen hundred eighty-three, said firefighter shall receive two hundred fifteen dollars per week during the continuance thereof; and further provided, that when the volunteer firefighter is injured in the line of duty on or after July first, nineteen hundred eighty-three to June thirtieth, nineteen hundred eighty-four, said firefighter shall receive two hundred fifty-five dollars per week during the continuance thereof; and further provided, that when the volunteer firefighter is injured in the line of duty on or after July first, nineteen hundred eighty-four to June thirtieth, nineteen hundred eighty-five, said firefighter shall receive two hundred seventy-five dollars per week during the continuance thereof; and further provided, that when the volunteer firefighter is injured in the line of duty on or after July first, nineteen hundred eighty-five to June thirtieth, nineteen hundred ninety, said firefighter shall receive three hundred dollars per week during the continuance thereof; and further provided, that when the volunteer firefighter is injured in the line of duty on or after July first, nineteen hundred ninety to June thirtieth, nineteen hundred ninety-one, said firefighter shall receive three hundred forty dollars per week during the continuance thereof; and further provided, that when a volunteer firefighter is injured in the line of duty on or after July first, nineteen hundred ninety-one to June thirtieth, nineteen hundred ninety-two, said firefighter shall receive three hundred fifty dollars per week during the continuance thereof; and further provided, that when a volunteer firefighter is injured in the line of duty on or after July first, nineteen hundred ninety-two, said firefighter shall receive four hundred dollars per week during the continuance thereof**, provided, however, that when the volunteer firefighter is injured in the line of duty on or after March first, two thousand twenty-one such payment shall be eight hundred dollars for each week during the continuance thereof**. Temporary total disability, within the meaning of this section, shall exist only if the earning capacity of the volunteer firefighter has been lost temporarily and totally as the result of the injury. In case of temporary total disability and permanent partial disability both resulting from the same injury, if the temporary total disability continues for a longer period than the number of weeks set forth in the following schedule, the period of temporary total disability in excess of such number of weeks shall be added to the period provided in section ten of this article: arm, thirty-two weeks; leg, forty weeks; hand, thirty-two weeks; foot, thirty-two weeks; ear, twenty-five weeks; eye, twenty weeks; thumb, twenty-four weeks; first finger, eighteen weeks; great toe, twelve weeks; second finger, twelve weeks; third finger, eight weeks; fourth finger, eight weeks; toe other

than great toe, eight weeks. In any case resulting in loss or partial loss of use of arm, leg, hand, foot, ear, eye, thumb, finger or toe, where the temporary total disability does not extend beyond the periods above mentioned for such injury, benefits shall be limited to the schedule contained in section ten of this article.

§ 3. Section 10 of the volunteer firefighters' benefit law, subdivision 1 as amended by chapter 175 of the laws of 1962, the opening paragraph of subdivision 1 as amended by chapter 21 of the laws of 1991, paragraph (d) of subdivision 1 as amended by chapter 604 of the laws of 1989, subdivision (e) of subdivision 1 and subparagraphs 1 and 2 of paragraph (g) of subdivision 1 as amended by chapter 924 of the laws of 1990, paragraph (g) of subdivision 1 as amended by chapter 584 of the laws of 1974, the opening subparagraph and subparagraph 4 of paragraph (g) of subdivision 1 and subdivision 3 as amended by chapter 476 of the laws of 2018, is amended to read as follows:

§ 10. Permanent partial disability benefits. 1. In the case of disability partial in character, but permanent in quality, the volunteer firefighter shall be paid ninety-five dollars for each week for the period specified in this subdivision, provided, however, that when the volunteer firefighter is injured in the line of duty on or after January first, nineteen hundred seventy-eight to June thirtieth, nineteen hundred eighty-three, such payment shall be one hundred five dollars for each week, and further provided that when a volunteer firefighter is injured in the line of duty on or after July first, nineteen hundred eighty-three to and including June thirtieth, nineteen hundred eighty-four, such payments shall be one hundred twenty-five dollars for each week and provided further that when the volunteer firefighter is injured in the line of duty on or after July first, nineteen hundred eighty-four to and including June thirtieth, nineteen hundred eighty-five such payments shall be one hundred thirty-five dollars for each week and provided further that when the volunteer firefighter is injured in the line of duty on or after July first, nineteen hundred eighty-five to and including June thirtieth, nineteen hundred ninety such payments shall be one hundred fifty dollars for each week, and provided further that when the volunteer firefighter is injured in the line of duty on or after July first, nineteen hundred ninety to and including June thirtieth, nineteen hundred ninety-one such payments shall be two hundred eighty dollars for each week, and provided further that when the volunteer firefighter is injured in the line of duty on or after July first, nineteen hundred ninety-one to and including June thirtieth, nineteen hundred ninety-two such payments shall be three hundred fifty dollars for each week, and provided further that when the volunteer firefighter is injured in the line of duty on or after July first, nineteen hundred ninety-two such payments shall be four hundred dollars for each week, **provided, however, that when the volunteer firefighter is injured in the line of duty on or after March first, two thousand twenty-one such payment shall be eight hundred dollars for each week** as follows:

(a) Loss of member.

Member lost	Number of weeks
Arm	312
Leg	288
Hand	244
Foot	205
Eye	160
Thumb	75

First finger 46
Great toe 38
Second finger 30
Third finger 25
Toe other than great toe 16
Fourth finger 15

If more than one phalange of a digit shall be lost, the period shall be the same as for the loss of the entire digit. If only the first phalange shall be lost, the period shall be one-half the period for loss of the entire digit. The period for loss or loss of use of two or more digits, or one or more phalanges of two or more digits, of a hand or foot, may be proportioned to the period for the loss of use of the hand or foot occasioned thereby, but shall not exceed the period for the loss of a hand or foot. If an arm or leg shall be amputated at or above the wrist or ankle, the period for such loss shall be in proportion to the period for the loss of the arm or leg. In the case of loss of binocular vision or of eighty per centum or more of the vision of an eye, the period shall be the same as for the loss of the eye.

(b) Loss of hearing. In the case of the complete loss of the hearing of one ear, sixty weeks; for the loss of hearing of both ears, one hundred fifty weeks.

(c) Total loss of use. In the case of permanent total loss of use of a member, the period shall be the same as for the loss of the member.

(d) Partial loss or partial loss of use. Except as above provided in this subdivision, in the case of permanent partial loss or loss of use of a member, the period shall be for the proportionate loss or loss of use of the member. Compensation for permanent partial loss of use of an eye shall be awarded on the basis of uncorrected loss of vision or corrected loss of vision resulting from an injury whichever is the greater.

(e) Disfigurement. In the case of serious facial or head disfigurement, including a disfigurement continuous in length which is partly in the facial area and also extends into the neck region as described in this paragraph, the volunteer firefighter shall be paid in a lump sum a proper and equitable amount, which shall be determined by the workers' compensation board. If the earning capacity of the volunteer firefighter shall have been impaired, or may in the future be impaired, by any serious disfigurement in the region above the sterno clavicular articulations anterior to and including the region of the sterno cleido mastoid muscles on either side, the volunteer firefighter shall be paid in a lump sum a proper and equitable amount which shall be determined by such board. Two or more serious disfigurements, not continuous in length, resulting from the same injury, if partially in the facial area and partially in such neck region, shall be deemed to be a facial disfigurement. An award, or the aggregate of the awards, to a volunteer firefighter under this paragraph shall not exceed [~~twenty~~] **forty** thousand dollars.

(f) Total or partial loss or loss of use of more than one member. In any case in which there shall be a loss or loss of use of more than one member or parts of more than one member set forth above in paragraphs a to e, both inclusive, of this subdivision, but not amounting to permanent total disability, the periods for loss or loss of use of each such member or part thereof shall run consecutively.

(g) Other cases. In all other cases of permanent partial disability the volunteer firefighter shall be paid for each week during the continuance thereof, as follows:

1. If the percentage of loss of earning capacity is seventy-five per centum, or greater, he or she shall be paid ninety-five dollars for each week, provided, however, that when the volunteer firefighter is injured in the line of duty on or after January first, nineteen hundred seventy-eight to and including June thirtieth, nineteen hundred eighty-three, such payment shall be one hundred five dollars for each week provided, however, that when the volunteer firefighter is injured in the line of duty on or after July first, nineteen hundred eighty-three to and including June thirtieth, nineteen hundred eighty-four, such payment shall be one hundred twenty-five dollars for each week provided, however, that when the volunteer firefighter is injured in the line of duty on or after July first, nineteen hundred eighty-four to and including June thirtieth, nineteen hundred eighty-five such payment shall be one hundred thirty-five dollars for each week, provided, however, that when the volunteer firefighter is injured in the line of duty on or after July first, nineteen hundred eighty-five to and including June thirtieth, nineteen hundred ninety such payment shall be one hundred fifty dollars for each week, provided, however, that when the volunteer firefighter is injured in the line of duty on or after July first, nineteen hundred ninety to and including June thirtieth, nineteen hundred ninety-one such payment shall be two hundred eighty dollars for each week, and provided further that when the volunteer firefighter is injured in the line of duty on or after July first, nineteen hundred ninety-one to and including June thirtieth, nineteen hundred ninety-two such payment shall be three hundred fifty dollars for each week, and provided further that when the volunteer firefighter is injured in the line of duty on or after July first, nineteen hundred ninety-two such payment shall be four hundred dollars for each week; **provided, however, that when the volunteer firefighter is injured in the line of duty on or after March first, two thousand twenty-one such payment shall be eight hundred dollars for each week;**

2. If the percentage of loss of earning capacity is fifty per centum, or greater, but less than seventy-five per centum, he or she shall be paid sixty-three dollars and thirty-three cents for each week, provided, however, that when the volunteer firefighter is injured in the line of duty on or after January first, nineteen hundred seventy-eight to and including June thirtieth, nineteen hundred eighty-three, such payment shall be seventy dollars for each week, provided, however, that when the volunteer firefighter is injured in the line of duty on or after July first, nineteen hundred eighty-three to and including June thirtieth, nineteen hundred eighty-four such payment shall be eighty-three dollars and thirty-three cents for each week, provided, however, that when the volunteer firefighter is injured in the line of duty on or after July first, nineteen hundred eighty-four, to and including June thirtieth, nineteen hundred eighty-five, such payment shall be ninety dollars for each week, provided, however, that when the volunteer firefighter is injured in the line of duty on or after July first, nineteen hundred eighty-five to and including June thirtieth, nineteen hundred ninety such payment shall be one hundred dollars for each week, provided, however, that when the volunteer firefighter is injured in the line of duty on or after July first, nineteen hundred ninety to and including June thirtieth, nineteen hundred ninety-one such payment shall be one hundred eighty-six dollars and seventy-six cents for each week,

provided, however, that when the volunteer firefighter is injured in the line of duty on or after July first, nineteen hundred ninety-one to and including June thirtieth, nineteen hundred ninety-two such payment shall be two hundred thirty-four dollars and fifty cents for each week, provided, however, that when the volunteer firefighter is injured in the line of duty on or after July first, nineteen hundred ninety-two such payment shall be two hundred sixty-eight dollars for each week**, provided, however, that when the volunteer firefighter is injured in the line of duty on or after March first, two thousand twenty-one, such payment shall be five hundred thirty-six dollars for each week**;

3. If the percentage of loss of earning capacity is twenty-five per centum, or greater, but less than fifty per centum, he shall be paid [~~thirty~~] **sixty** dollars for each week;

4. If the percentage of loss of earning capacity is less than twenty-five per centum, he or she shall not be paid any weekly benefit. Permanent partial disability, within the meaning of this paragraph, shall exist only if the earning capacity of the volunteer firefighter has been permanently and partially lost as the result of the injury. The workers' compensation board shall determine the degree of such disability and such board may reconsider such degree on its own motion or upon application of any party in interest.

2. An award made to a claimant under this section shall in case of death arising from causes other than the injury be payable to and for the benefit of the persons following:

(a) If there be a surviving spouse and no child of the deceased under the age of eighteen years, to such spouse.

(b) If there be a surviving spouse and surviving child or children of the deceased under the age of eighteen years, one-half shall be payable to the surviving spouse and the other half to the surviving child or children.

(c) If there be a surviving child or children of the deceased under the age of eighteen years, but no surviving spouse, then to such child or children.

(d) If there be no surviving spouse and no surviving child or children of the deceased under the age of eighteen years, then to such dependent or dependents as defined in section seven of this chapter, as directed by the [~~workmen's~~] **workers'** compensation board; and if there shall be no such dependents, then to the estate of such deceased in an amount not exceeding reasonable funeral expenses as provided in subdivision one of section seven of this chapter, or, if there be no estate, to the person or persons paying the funeral expenses of such deceased in an amount not exceeding reasonable funeral expenses as provided in such subdivision one.

3. An award for disability may be made after the death of the volunteer firefighter.

§ 4. Subdivision 1 of section 11 of the volunteer firefighters' benefit law, as amended by chapter 924 of the laws of 1990, is amended to read as follows:

1. If the percentage of loss of earning capacity is seventy-five per centum, or greater, he or she shall be paid ninety-five dollars for each week, provided, however, that when the volunteer firefighter is injured in the line of duty on or after January first, nineteen hundred seventy-eight to and including June thirtieth, nineteen hundred eighty-three, such payment shall be one hundred five dollars for each week, provided, however, that when the volunteer firefighter is injured in the line of duty on or after July first, nineteen hundred eighty-three to and

including June thirtieth, nineteen hundred eighty-four, such payment shall be one hundred twenty-five dollars for each week, provided, however, that when the volunteer firefighter is injured in the line of duty on or after July first, nineteen hundred eighty-four to and including June thirtieth, nineteen hundred eighty-five, such payment shall be one hundred thirty-five dollars for each week, provided, however, that when the volunteer firefighter is injured in the line of duty on or after July first, nineteen hundred eighty-five to and including June thirtieth, nineteen hundred ninety such payment shall be one hundred fifty dollars for each week, provided, however, that when the volunteer firefighter is injured in the line of duty on or after July first, nineteen hundred ninety to and including June thirtieth, nineteen hundred ninety-one such payment shall be two hundred eighty dollars for each week, provided, however, that when the volunteer firefighter is injured in the line of duty on or after July first, nineteen hundred ninety-one to and including June thirtieth, nineteen hundred ninety-two such payment shall be three hundred fifty dollars for each week, provided, however, that when the volunteer firefighter is injured in the line of duty on or after July first, nineteen hundred ninety-two such payment shall be four hundred dollars for each week; **provided, however, that when the volunteer firefighter is injured in the line of duty on or after March first, two thousand twenty-one such payment shall be eight hundred dollars for each week;**

§ 5. Section 8 of the volunteer ambulance workers' benefit law, as amended by chapter 401 of the laws of 2016, is amended to read as follows:

§ 8. Permanent total disability benefits. In the case of total disability adjudged to be permanent the volunteer ambulance worker shall be paid [~~six~~] **twelve** hundred dollars for each week during the continuance thereof. Permanent total disability, within the meaning of this section, shall exist only if the earning capacity of the volunteer ambulance worker has been lost permanently and totally as the result of the injury. The loss of both hands, or both arms, or both feet, or both legs, or both eyes, or any two thereof, shall, in the absence of conclusive proof to the contrary, constitute permanent total disability, but in all other cases permanent total disability shall be determined in accordance with the facts. Notwithstanding any other provisions of this chapter, an injured volunteer ambulance worker disabled due to the loss or total loss of use of both eyes, or both hands, or both arms, or both feet, or both legs, or any two thereof shall not suffer any diminution of such weekly benefit by engaging in business or employment provided his or her weekly earnings or wages, when combined with his weekly benefit shall not be in excess of [~~eight~~] **sixteen** hundred dollars; and further provided that the application of this section shall not result in reduction of benefits which an injured volunteer ambulance worker who is disabled due to the loss or total loss of use of both eyes, or both hands, or both arms, or both feet, or both legs, or any two thereof would otherwise be entitled to under any other provisions of this article.

§ 6. Section 9 of the volunteer ambulance workers' benefit law, as amended by chapter 924 of the laws of 1990, is amended to read as follows:

§ 9. Temporary total disability benefits. In the case of temporary total disability the volunteer ambulance worker shall be paid three hundred dollars for each week during the continuance thereof; provided, however, that when the volunteer ambulance worker is injured in the line

of duty on or after the effective date of this chapter to June thirtieth, nineteen hundred ninety; further provided, that when the volunteer ambulance worker is injured in the line of duty on or after July first, nineteen hundred ninety to June thirtieth, nineteen hundred ninety-one, said ambulance worker shall receive three hundred forty dollars per week during the continuance thereof, and further provided, that when a volunteer ambulance worker is injured in the line of duty on or after July first, nineteen hundred ninety-one to June thirtieth, nineteen hundred ninety-two, said ambulance worker shall receive three hundred fifty dollars per week during the continuance thereof; provided further that when a volunteer ambulance worker is injured in the line of duty on or after July first, nineteen hundred ninety-two such ambulance worker shall be paid four hundred dollars for each week during the continuance thereof**; provided further that when a volunteer ambulance worker is injured in the line of duty on or after March first, two thousand twenty-one such ambulance worker shall be paid eight hundred dollars for each week during the continuance thereof**. Temporary total disability, within the meaning of this section, shall exist only if the earning capacity of the volunteer ambulance worker has been lost temporarily and totally as the result of the injury. In case of temporary total disability and permanent partial disability both resulting from the same injury, if the temporary total disability continues for a longer period than the number of weeks set forth in the following schedule, the period of temporary total disability in excess of such number of weeks shall be added to the period provided in section ten of this chapter: arm, thirty-two weeks; leg, forty weeks; hand, thirty-two weeks; foot, thirty-two weeks; ear, twenty-five weeks; eye, twenty weeks; thumb, twenty-four weeks; first finger, eighteen weeks; great toe, twelve weeks; second finger, twelve weeks; third finger, eight weeks, fourth finger, eight weeks; toe other than great toe, eight weeks. In any case resulting in loss or partial loss of use of arm, leg, hand, foot, ear, eye, thumb, finger or toe, where the temporary total disability does not extend beyond the periods above mentioned for such injury, benefits shall be limited to the schedule contained in section ten of this chapter.

§ 7. Subdivision 1 of section 10 of the volunteer ambulance workers' benefit law, as amended by chapter 604 of the laws of 1989, the opening paragraph as amended by chapter 21 of the laws of 1991, paragraph e and subparagraphs 1 and 2 of paragraph g as amended by chapter 924 of the laws of 1990, is amended to read as follows:

1. In the case of disability partial in character, but permanent in quality, the volunteer ambulance worker, injured in the line of duty shall be paid one hundred fifty dollars for each week for the period specified in this subdivision, provided, however, that when the volunteer ambulance worker is injured in the line of duty on or after the effective date of this chapter to and including June thirtieth, nineteen hundred ninety, and provided further that when the volunteer ambulance worker is injured in the line of duty on or after July first, nineteen hundred ninety to and including June thirtieth, nineteen hundred ninety-one such payments shall be two hundred eighty dollars for each week, and provided further that when the volunteer ambulance worker is injured in the line of duty on or after July first, nineteen hundred ninety-one to and including June thirtieth, nineteen hundred ninety-two such payments shall be three hundred fifty dollars for each week; and provided further that when the volunteer ambulance worker is injured in the line of duty on or after July first, nineteen hundred ninety-two such payments shall be four hundred dollars for each week**; provided**

further that when a volunteer ambulance worker is injured in the line of duty on or after March first, two thousand twenty-one such ambulance worker shall be paid eight hundred dollars for each week as follows:

a. Loss of member.

Member lost	Number of weeks
Arm	312
Leg	288
Hand	244
Foot	205
Eye	160
Thumb	75
First finger	46
Great toe	38
Second finger	30
Third finger	25
Toe other than great toe	16
Fourth finger	15

If more than one phalange of a digit shall be lost, the period shall be the same as for the loss of the entire digit. If only the first phalange shall be lost, the period shall be one-half the period for loss of the entire digit. The period for loss or loss of use of two or more digits, or one or more phalanges of two or more digits, of a hand or foot, may be proportioned to the period for the loss of use of the hand or foot occasioned thereby, but shall not exceed the period for the loss of a hand or foot. If an arm or leg shall be amputated at or above the wrist or ankle, the period for such loss shall be in proportion to the period for the loss of the arm or leg. In the case of loss of binocular vision or of eighty per centum or more of the vision of an eye, the period shall be the same as for the loss of the eye.

b. Loss of hearing. In the case of the complete loss of the hearing of one ear, sixty weeks; for the loss of hearing of both ears, one hundred fifty weeks.

c. Total loss of use. In the case of permanent total loss of use of a member, the compensation shall be the same as for the loss of the member.

d. Partial loss or partial loss of use. Except as above provided in this subdivision, in the case of permanent partial loss or loss of use of a member, the period shall be for the proportionate loss or loss of use of the member. Compensation for permanent partial loss of use of an eye shall be awarded on the basis of uncorrected loss of vision or corrected loss of vision resulting from an injury which ever is greater.

e. Disfigurement. In the case of serious facial or head disfigurement, including a disfigurement continuous in length which is partly in the facial area and also extends into the neck region as described in this paragraph, the volunteer ambulance worker shall be paid in a lump sum a proper and equitable amount, which shall be determined by the workers' compensation board. If the earning capacity of the volunteer ambulance worker shall have been impaired, or may in the future be impaired, by any serious disfigurement in the region above the sterno clavicular articulations anterior to and including the region of the sterno cleido mastoid muscles on either side, the volunteer ambulance worker shall be paid in a lump sum a proper and equitable amount which shall be deter-mined by such board. Two or more serious disfigurements, not continuous in length, resulting from the same injury, if partially in the facial area and partially in such neck region, shall be deemed to be a facial disfigurement. An award, or the aggregate of the awards, to a volunteer

ambulance worker under this paragraph shall not exceed [~~twenty~~] **forty** thousand dollars.

f. Total or partial loss or loss of use of more than one member. In any case in which there shall be a loss or loss of use of more than one member or parts of more than one member set forth above in paragraphs a to e, both inclusive, of this subdivision, but not amounting to permanent total disability, the periods for loss or loss of use of each such member or part thereof shall run consecutively.

g. Other cases. In all other cases of permanent partial disability the volunteer ambulance worker shall be paid for each week, during the continuance thereof, as follows:

(1) If the percentage of loss of earning capacity is seventy-five per centum, or greater, he or she shall be paid one hundred fifty dollars for each week, provided, however, that the volunteer ambulance worker is injured in the line of duty on or after the effective date of this chapter to and including June thirtieth, nineteen hundred ninety, provided, however, that when the volunteer ambulance worker is injured in the line of duty on or after July first, nineteen hundred ninety to and including June thirtieth, nineteen hundred ninety-one such payment shall be two hundred eighty dollars for each week, and provided further that when the volunteer ambulance worker is injured in the line of duty on or after July first, nineteen hundred ninety-one to and including June thirtieth, nineteen hundred ninety-two such payment shall be three hundred fifty dollars for each week; and provided further that when the volunteer ambulance worker is injured in the line of duty on or after July first, nineteen hundred ninety-two such payments shall be four hundred dollars for each week**; provided further that when a volunteer ambulance worker is injured in the line of duty on or after March first, two thousand twenty-one such ambulance worker shall be paid eight hundred dollars for each week during the continuance thereof**.

(2) If the percentage of loss of earning capacity is fifty per centum, or greater, but less than seventy-five per centum, he or she shall be paid one hundred dollars for each week, provided, however, that the volunteer ambulance worker is injured in the line of duty on or after the effective date of this chapter to and including June thirtieth, nineteen hundred ninety, provided, however, that when the volunteer ambulance worker is injured in the line of duty on or after July first, nineteen hundred ninety to and including June thirtieth, nineteen hundred ninety-one, such payment shall be one hundred eighty-six dollars and seventy-six cents for each week, provided, however, that when the volunteer ambulance worker is injured in the line of duty on or after July first, nineteen hundred ninety-one to and including June thirtieth, nineteen hundred ninety-two, such payment shall be two hundred thirty-four dollars and fifty cents for each week; provided, however, that when the volunteer ambulance worker is injured in the line of duty on or after July first, nineteen hundred ninety-two, such payment shall be two hundred sixty-eight dollars for each week**, provided, however, that when the volunteer ambulance worker is injured in the line of duty on or after March first, two thousand twenty-one, such payment shall be five hundred thirty-six dollars for each week**.

(3) If the percentage of loss of earning capacity is twenty-five percentum, or greater, but less than fifty per centum, he or she shall be paid [~~thirty~~] **sixty** dollars for each week.

(4) If the percentage of loss of earning capacity is less than twenty-five per centum, he or she shall not be paid any weekly benefit.

Permanent partial disability, within the meaning of this paragraph, shall exist only if the earning capacity of the volunteer ambulance worker has been permanently and partially lost as the result of the injury. The workers' compensation board shall determine the degree of such disability and such board may reconsider such degree on its own motion or upon application of any party in interest.

§ 8. Section 11 of the volunteer ambulance workers' benefit law, as amended by chapter 604 of the laws of 1989, subdivisions 1 and 2 as amended by chapter 924 of the laws of 1990, is amended to read as follows:

§ 11. Temporary partial disability benefits. In the case of temporary partial disability the volunteer ambulance worker shall be paid for each week during the continuance thereof, as follows:

1. If the percentage of loss of earning capacity is seventy-five per centum, or greater, he or she shall be paid one hundred fifty dollars for each week, provided, however, that the volunteer ambulance worker is injured in the line of duty on or after the effective date of this chapter to and including June thirtieth, nineteen hundred ninety, provided, however, that when the volunteer ambulance worker is injured in the line of duty on or after July first, nineteen hundred ninety to and including June thirtieth, nineteen hundred ninety-one, such payment shall be two hundred eighty dollars for each week, provided, however, that when the volunteer ambulance worker is injured in the line of duty on or after July first, nineteen hundred ninety-one to and including June thirtieth, nineteen hundred ninety-two, such payment shall be three hundred fifty dollars for each week; and provided further that when the volunteer ambulance worker is injured in the line of duty on or after July first, nineteen hundred ninety-two such payments shall be four hundred dollars for each week**; provided further that when a volunteer ambulance worker is injured in the line of duty on or after March first, two thousand twenty-one such ambulance worker shall be paid eight hundred dollars for each week**.

2. If the percentage of loss of earning capacity is fifty per centum, or greater, but less than seventy-five per centum, he or she shall be paid one hundred dollars for each week, provided, however, that the volunteer ambulance worker is injured in the line of duty on or after the effective date of this chapter to and including June thirtieth, nineteen hundred ninety, provided, however, that when the volunteer ambulance worker is injured in the line of duty on or after July first, nineteen hundred ninety to and including June thirtieth, nineteen hundred ninety-one, such payment shall be one hundred eighty-six dollars and seventy-six cents for each week, provided, however, that when the volunteer ambulance worker is injured in the line of duty on or after July first, nineteen hundred ninety-one to and including June thirtieth, nineteen hundred ninety-two, such payment shall be two hundred thirty-four dollars and fifty cents for each week; provided, however, that when the volunteer ambulance worker is injured in the line of duty on or after July first, nineteen hundred ninety-two, such payment shall be two hundred sixty-eight dollars for each week**, provided, however, that when the volunteer ambulance worker is injured in the line of duty on or after March first, two thousand twenty-one, such payment shall be five hundred thirty-six dollars for each week**.

3. If the percentage of loss of earning capacity is twenty-five per centum, or greater, but less than fifty per centum, he or she shall be paid [~~thirty~~] **sixty** dollars for each week.

4. If the percentage of loss of earning capacity is less than twenty-five per centum, he or she shall not be paid any weekly benefit.

Temporary partial disability, within the meaning of this section, shall exist only if the earning capacity of the volunteer ambulance worker has been temporarily and partially lost as the result of the injury. The workers' compensation board shall determine the degree of such disability and such board may reconsider such degree on its own motion or upon application of any party in interest.

§ 9. This act shall take effect immediately.