

STATE OF NEW YORK

5991

2023-2024 Regular Sessions

IN ASSEMBLY

March 30, 2023

Introduced by M. of A. McMAHON, GUNTHER, BUTTENSCHON, COLTON, TAYLOR,
SANTABARBARA, SIMON, SILLITTI, STERN, JACKSON, JONES, BRABENEC, CONRAD
-- 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 increasing the amount of certain benefits

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

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

4 § 8. Permanent total disability benefits. In the case of total disa-
5 bility adjudged to be permanent the volunteer firefighter shall be paid
6 ~~[six]~~ twelve hundred dollars for each week during the continuance there-
7 of. Permanent total disability, within the meaning of this section,
8 shall exist only if the earning capacity of the volunteer firefighter
9 has been lost permanently and totally as the result of the injury. The
10 loss of both hands, or both arms, or both feet, or both legs, or both
11 eyes, or any two thereof, shall, in the absence of conclusive proof to
12 the contrary, constitute permanent total disability, but in all other
13 cases permanent total disability shall be determined in accordance with
14 the facts. Notwithstanding any other provisions of this chapter, an
15 injured volunteer firefighter disabled due to the loss or total loss of
16 use of both eyes, or both hands, or both arms, or both feet, or both
17 legs, or any two thereof shall not suffer any diminution of such weekly
18 benefit by engaging in business or employment provided his or her weekly
19 earnings or wages, when combined with his or her weekly benefit shall
20 not be in excess of ~~[eight]~~ sixteen hundred dollars; and further
21 provided that the application of this section shall not result in
22 reduction of benefits which an injured volunteer firefighter who is
23 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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1 hands, or both arms, or both feet, or both legs, or any two thereof
2 would otherwise be entitled to under any other provisions of this arti-
3 cle.

4 § 2. Section 9 of the volunteer firefighters' benefit law, as amended
5 by chapter 523 of the laws of 2021, is amended to read as follows:

6 § 9. Temporary total disability benefits. In the case of temporary
7 total disability the volunteer firefighter shall be paid one hundred
8 twenty-five dollars for each week during the continuance thereof;
9 provided, however, that when the volunteer firefighter is injured in the
10 line of duty on or after July first, nineteen hundred seventy-eight to
11 December thirty-first, nineteen hundred seventy-eight, said firefighter
12 shall receive one hundred eighty dollars per week during the continuance
13 thereof; and further provided, that when the volunteer firefighter is
14 injured in the line of duty on or after January first, nineteen hundred
15 seventy-nine to June thirtieth, nineteen hundred eighty-three, said
16 firefighter shall receive two hundred fifteen dollars per week during
17 the continuance thereof; and further provided, that when the volunteer
18 firefighter is injured in the line of duty on or after July first, nine-
19 teen hundred eighty-three to June thirtieth, nineteen hundred eighty-
20 four, said firefighter shall receive two hundred fifty-five dollars per
21 week during the continuance thereof; and further provided, that when the
22 volunteer firefighter is injured in the line of duty on or after July
23 first, nineteen hundred eighty-four to June thirtieth, nineteen hundred
24 eighty-five, said firefighter shall receive two hundred seventy-five
25 dollars per week during the continuance thereof; and further provided,
26 that when the volunteer firefighter is injured in the line of duty on or
27 after July first, nineteen hundred eighty-five to June thirtieth, nine-
28 teen hundred ninety, said firefighter shall receive three hundred
29 dollars per week during the continuance thereof; and further provided,
30 that when the volunteer firefighter is injured in the line of duty on or
31 after July first, nineteen hundred ninety to June thirtieth, nineteen
32 hundred ninety-one, said firefighter shall receive three hundred forty
33 dollars per week during the continuance thereof; and further provided,
34 that when a volunteer firefighter is injured in the line of duty on or
35 after July first, nineteen hundred ninety-one to June thirtieth, nine-
36 teen hundred ninety-two, said firefighter shall receive three hundred
37 fifty dollars per week during the continuance thereof; and further
38 provided, that when a volunteer firefighter is injured in the line of
39 duty on or after July first, nineteen hundred ninety-two to June thirti-
40 eth, two thousand twenty-one, said firefighter shall receive four
41 hundred dollars per week during the continuance thereof; and further
42 provided, that when a volunteer firefighter is injured in the line of
43 duty on or after July first, two thousand twenty-one to June thirtieth,
44 two thousand twenty-three, said firefighter shall receive six hundred
45 fifty dollars per week during the continuance thereof; and further
46 provided, that when a volunteer firefighter is injured in the line of
47 duty on or after July first, two thousand twenty-three, such firefighter
48 shall receive eight hundred dollars per week during the continuance
49 thereof. Temporary total disability, within the meaning of this
50 section, shall exist only if the earning capacity of the volunteer fire-
51 fighter has been lost temporarily and totally as the result of the inju-
52 ry. In case of temporary total disability and permanent partial disabil-
53 ity both resulting from the same injury, if the temporary total
54 disability continues for a longer period than the number of weeks set
55 forth in the following schedule, the period of temporary total disabili-
56 ty 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 paragraph 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-three such payment shall be eight hundred dollars for each week as follows:

(a) Loss of member.

Member lost	Number of weeks
Arm	312

1	Leg	288
2	Hand	244
3	Foot	205
4	Eye	160
5	Thumb	75
6	First finger	46
7	Great toe	38
8	Second finger	30
9	Third finger	25
10	Toe other than great toe	16
11	Fourth finger	15

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

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

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

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

36 (e) Disfigurement. In the case of serious facial or head disfigure-
 37 ment, including a disfigurement continuous in length which is partly in
 38 the facial area and also extends into the neck region as described in
 39 this paragraph, the volunteer firefighter shall be paid in a lump sum a
 40 proper and equitable amount, which shall be determined by the workers'
 41 compensation board. If the earning capacity of the volunteer firefighter
 42 shall have been impaired, or may in the future be impaired, by any seri-
 43 ous disfigurement in the region above the sterno clavicular artic-
 44 ulations anterior to and including the region of the sterno cleido
 45 mastoid muscles on either side, the volunteer firefighter shall be paid
 46 in a lump sum a proper and equitable amount which shall be determined by
 47 such board. Two or more serious disfigurements, not continuous in
 48 length, resulting from the same injury, if partially in the facial area
 49 and partially in such neck region, shall be deemed to be a facial
 50 disfigurement. An award, or the aggregate of the awards, to a volunteer
 51 firefighter under this paragraph shall not exceed [~~twenty~~] **forty** thou-
 52 sand dollars.

53 (f) Total or partial loss or loss of use of more than one member. In
 54 any case in which there shall be a loss or loss of use of more than one
 55 member or parts of more than one member set forth above in paragraphs a

1 to e, both inclusive, of this subdivision, but not amounting to perma-
2 nent total disability, the periods for loss or loss of use of each such
3 member or part thereof shall run consecutively.

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

7 1. If the percentage of loss of earning capacity is seventy-five per
8 centum, or greater, he or she shall be paid ninety-five dollars for each
9 week, provided, however, that when the volunteer firefighter is injured
10 in the line of duty on or after January first, nineteen hundred seven-
11 ty-eight to and including June thirtieth, nineteen hundred eighty-three,
12 such payment shall be one hundred five dollars for each week provided,
13 however, that when the volunteer firefighter is injured in the line of
14 duty on or after July first, nineteen hundred eighty-three to and
15 including June thirtieth, nineteen hundred eighty-four, such payment
16 shall be one hundred twenty-five dollars for each week provided, howev-
17 er, that when the volunteer firefighter is injured in the line of duty
18 on or after July first, nineteen hundred eighty-four to and including
19 June thirtieth, nineteen hundred eighty-five such payment shall be one
20 hundred thirty-five dollars for each week, provided, however, that when
21 the volunteer firefighter is injured in the line of duty on or after
22 July first, nineteen hundred eighty-five to and including June thirti-
23 eth, nineteen hundred ninety such payment shall be one hundred fifty
24 dollars for each week, provided, however, that when the volunteer fire-
25 fighter is injured in the line of duty on or after July first, nineteen
26 hundred ninety to and including June thirtieth, nineteen hundred nine-
27 ty-one such payment shall be two hundred eighty dollars for each week,
28 and provided further that when the volunteer firefighter is injured in
29 the line of duty on or after July first, nineteen hundred ninety-one to
30 and including June thirtieth, nineteen hundred ninety-two such payment
31 shall be three hundred fifty dollars for each week, and provided further
32 that when the volunteer firefighter is injured in the line of duty on or
33 after July first, nineteen hundred ninety-two such payment shall be four
34 hundred dollars for each week; provided, however, that when the volun-
35 teer firefighter is injured in the line of duty on or after March first,
36 two thousand twenty-three such payment shall be eight hundred dollars
37 for each week;

38 2. If the percentage of loss of earning capacity is fifty per centum,
39 or greater, but less than seventy-five per centum, he or she shall be
40 paid sixty-three dollars and thirty-three cents for each week, provided,
41 however, that when the volunteer firefighter is injured in the line of
42 duty on or after January first, nineteen hundred seventy-eight to and
43 including June thirtieth, nineteen hundred eighty-three, such payment
44 shall be seventy dollars for each week, provided, however, that when the
45 volunteer firefighter is injured in the line of duty on or after July
46 first, nineteen hundred eighty-three to and including June thirtieth,
47 nineteen hundred eighty-four such payment shall be eighty-three dollars
48 and thirty-three cents for each week, provided, however, that when the
49 volunteer firefighter is injured in the line of duty on or after July
50 first, nineteen hundred eighty-four, to and including June thirtieth,
51 nineteen hundred eighty-five, such payment shall be ninety dollars for
52 each week, provided, however, that when the volunteer firefighter is
53 injured in the line of duty on or after July first, nineteen hundred
54 eighty-five to and including June thirtieth, nineteen hundred ninety
55 such payment shall be one hundred dollars for each week, provided,
56 however, that when the volunteer firefighter is injured in the line of

1 duty on or after July first, nineteen hundred ninety to and including
2 June thirtieth, nineteen hundred ninety-one such payment shall be one
3 hundred eighty-six dollars and seventy-six cents for each week,
4 provided, however, that when the volunteer firefighter is injured in the
5 line of duty on or after July first, nineteen hundred ninety-one to and
6 including June thirtieth, nineteen hundred ninety-two such payment shall
7 be two hundred thirty-four dollars and fifty cents for each week,
8 provided, however, that when the volunteer firefighter is injured in the
9 line of duty on or after July first, nineteen hundred ninety-two such
10 payment shall be two hundred sixty-eight dollars for each week,
11 provided, however, that when the volunteer firefighter is injured in the
12 line of duty on or after March first, two thousand twenty-three, such
13 payment shall be five hundred thirty-six dollars for each week;

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

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

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

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

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

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

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

47 3. An award for disability may be made after the death of the volun-
48 teer firefighter.

49 § 4. Subdivision 1 of section 11 of the volunteer firefighters' bene-
50 fit law, as amended by chapter 924 of the laws of 1990, is amended to
51 read as follows:

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

1 such payment shall be one hundred five dollars for each week, provided,
2 however, that when the volunteer firefighter is injured in the line of
3 duty on or after July first, nineteen hundred eighty-three to and
4 including June thirtieth, nineteen hundred eighty-four, such payment
5 shall be one hundred twenty-five dollars for each week, provided, howev-
6 er, that when the volunteer firefighter is injured in the line of duty
7 on or after July first, nineteen hundred eighty-four to and including
8 June thirtieth, nineteen hundred eighty-five, such payment shall be one
9 hundred thirty-five dollars for each week, provided, however, that when
10 the volunteer firefighter is injured in the line of duty on or after
11 July first, nineteen hundred eighty-five to and including June thirti-
12 eth, nineteen hundred ninety such payment shall be one hundred fifty
13 dollars for each week, provided, however, that when the volunteer fire-
14 fighter is injured in the line of duty on or after July first, nineteen
15 hundred ninety to and including June thirtieth, nineteen hundred nine-
16 ty-one such payment shall be two hundred eighty dollars for each week,
17 provided, however, that when the volunteer firefighter is injured in the
18 line of duty on or after July first, nineteen hundred ninety-one to and
19 including June thirtieth, nineteen hundred ninety-two such payment shall
20 be three hundred fifty dollars for each week, provided, however, that
21 when the volunteer firefighter is injured in the line of duty on or
22 after July first, nineteen hundred ninety-two such payment shall be four
23 hundred dollars for each week; provided, however, that when the volun-
24 teer firefighter is injured in the line of duty on or after March first,
25 two thousand twenty-three such payment shall be eight hundred dollars
26 for each week;

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

30 § 8. Permanent total disability benefits. In the case of total disa-
31 bility adjudged to be permanent the volunteer ambulance worker shall be
32 paid [~~six~~] twelve hundred dollars for each week during the continuance
33 thereof. Permanent total disability, within the meaning of this section,
34 shall exist only if the earning capacity of the volunteer ambulance
35 worker has been lost permanently and totally as the result of the inju-
36 ry. The loss of both hands, or both arms, or both feet, or both legs, or
37 both eyes, or any two thereof, shall, in the absence of conclusive proof
38 to the contrary, constitute permanent total disability, but in all other
39 cases permanent total disability shall be determined in accordance with
40 the facts. Notwithstanding any other provisions of this chapter, an
41 injured volunteer ambulance worker disabled due to the loss or total
42 loss of use of both eyes, or both hands, or both arms, or both feet, or
43 both legs, or any two thereof shall not suffer any diminution of such
44 weekly benefit by engaging in business or employment provided his or her
45 weekly earnings or wages, when combined with his weekly benefit shall
46 not be in excess of [~~eight~~] sixteen hundred dollars; and further
47 provided that the application of this section shall not result in
48 reduction of benefits which an injured volunteer ambulance worker who is
49 disabled due to the loss or total loss of use of both eyes, or both
50 hands, or both arms, or both feet, or both legs, or any two thereof
51 would otherwise be entitled to under any other provisions of this arti-
52 cle.

53 § 6. Section 9 of the volunteer ambulance workers' benefit law, as
54 amended by chapter 523 of the laws of 2021, is amended to read as
55 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 to June thirtieth, two thousand twenty-one, 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 July first, two thousand twenty-one to June thirtieth, two thousand twenty-three such ambulance worker shall be paid six hundred fifty 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 July first, two thousand twenty-three 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-three 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

1 worker shall have been impaired, or may in the future be impaired, by
2 any serious disfigurement in the region above the sterno clavicular
3 articulations anterior to and including the region of the sterno cleido
4 mastoid muscles on either side, the volunteer ambulance worker shall be
5 paid in a lump sum a proper and equitable amount which shall be deter-
6 mined by such board. Two or more serious disfigurements, not continuous
7 in length, resulting from the same injury, if partially in the facial
8 area and partially in such neck region, shall be deemed to be a facial
9 disfigurement. An award, or the aggregate of the awards, to a volunteer
10 ambulance worker under this paragraph shall not exceed [~~twenty~~] forty
11 thousand dollars.

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

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

21 (1) If the percentage of loss of earning capacity is seventy-five per
22 centum, or greater, he or she shall be paid one hundred fifty dollars
23 for each week, provided, however, that the volunteer ambulance worker is
24 injured in the line of duty on or after the effective date of this chap-
25 ter to and including June thirtieth, nineteen hundred ninety, provided,
26 however, that when the volunteer ambulance worker is injured in the line
27 of duty on or after July first, nineteen hundred ninety to and including
28 June thirtieth, nineteen hundred ninety-one such payment shall be two
29 hundred eighty dollars for each week, and provided further that when the
30 volunteer ambulance worker is injured in the line of duty on or after
31 July first, nineteen hundred ninety-one to and including June thirtieth,
32 nineteen hundred ninety-two such payment shall be three hundred fifty
33 dollars for each week; and provided further that when the volunteer
34 ambulance worker is injured in the line of duty on or after July first,
35 nineteen hundred ninety-two such payments shall be four hundred dollars
36 for each week; provided further that when a volunteer ambulance worker
37 is injured in the line of duty on or after March first, two thousand
38 twenty-three such ambulance worker shall be paid eight hundred dollars
39 for each week during the continuance thereof.

40 (2) If the percentage of loss of earning capacity is fifty per centum,
41 or greater, but less than seventy-five per centum, he or she shall be
42 paid one hundred dollars for each week, provided, however, that the
43 volunteer ambulance worker is injured in the line of duty on or after
44 the effective date of this chapter to and including June thirtieth,
45 nineteen hundred ninety, provided, however, that when the volunteer
46 ambulance worker is injured in the line of duty on or after July first,
47 nineteen hundred ninety to and including June thirtieth, nineteen
48 hundred ninety-one, such payment shall be one hundred eighty-six dollars
49 and seventy-six cents for each week, provided, however, that when the
50 volunteer ambulance worker is injured in the line of duty on or after
51 July first, nineteen hundred ninety-one to and including June thirtieth,
52 nineteen hundred ninety-two, such payment shall be two hundred thirty-
53 four dollars and fifty cents for each week; provided, however, that when
54 the volunteer ambulance worker is injured in the line of duty on or
55 after July first, nineteen hundred ninety-two, such payment shall be two
56 hundred sixty-eight dollars for each week, provided, however, that when

1 the volunteer ambulance worker is injured in the line of duty on or
2 after March first, two thousand twenty-three, such payment shall be five
3 hundred thirty-six dollars for each week.

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

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

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

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

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

22 1. If the percentage of loss of earning capacity is seventy-five per
23 centum, or greater, he or she shall be paid one hundred fifty dollars
24 for each week, provided, however, that the volunteer ambulance worker is
25 injured in the line of duty on or after the effective date of this chapter
26 to and including June thirtieth, nineteen hundred ninety, provided,
27 however, that when the volunteer ambulance worker is injured in the line
28 of duty on or after July first, nineteen hundred ninety to and including
29 June thirtieth, nineteen hundred ninety-one, such payment shall be two
30 hundred eighty dollars for each week, provided, however, that when the
31 volunteer ambulance worker is injured in the line of duty on or after
32 July first, nineteen hundred ninety-one to and including June thirtieth,
33 nineteen hundred ninety-two, such payment shall be three hundred fifty
34 dollars for each week; and provided further that when the volunteer
35 ambulance worker is injured in the line of duty on or after July first,
36 nineteen hundred ninety-two such payments shall be four hundred dollars
37 for each week; provided further that when a volunteer ambulance worker
38 is injured in the line of duty on or after March first, two thousand
39 twenty-three such ambulance worker shall be paid eight hundred dollars
40 for each week.

41 2. If the percentage of loss of earning capacity is fifty per centum,
42 or greater, but less than seventy-five per centum, he or she shall be
43 paid one hundred dollars for each week, provided, however, that the
44 volunteer ambulance worker is injured in the line of duty on or after
45 the effective date of this chapter to and including June thirtieth,
46 nineteen hundred ninety, provided, however, that when the volunteer
47 ambulance worker is injured in the line of duty on or after July first,
48 nineteen hundred ninety to and including June thirtieth, nineteen
49 hundred ninety-one, such payment shall be one hundred eighty-six dollars
50 and seventy-six cents for each week, provided, however, that when the
51 volunteer ambulance worker is injured in the line of duty on or after
52 July first, nineteen hundred ninety-one to and including June thirtieth,
53 nineteen hundred ninety-two, such payment shall be two hundred thirty-
54 four dollars and fifty cents for each week; provided, however, that when
55 the volunteer ambulance worker is injured in the line of duty on or
56 after July first, nineteen hundred ninety-two, such payment shall be two

1 hundred sixty-eight dollars for each week, provided, however, that when
2 the volunteer ambulance worker is injured in the line of duty on or
3 after March first, two thousand twenty-three, such payment shall be five
4 hundred thirty-six dollars for each week.

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

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

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

16 § 9. This act shall take effect immediately.