# STATE OF NEW YORK

6170

2023-2024 Regular Sessions

# IN ASSEMBLY

April 3, 2023

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

AN ACT to amend the workers' compensation law, in relation to the notice required for the termination of temporary payments of compensation and the notice required for cessation of compensation payments

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

Section 1. Subdivision 3 of section 21-a of the workers' compensation law, as amended by chapter 6 of the laws of 2007, is amended to read as follows:

3. An employer may cease making temporary payments of compensation and prescribed medicine if such employer delivers within [~~five~~] **sixteen** days after the last payment, to the injured employee and the board, a notice of termination of temporary payments of compensation on a form prescribed by the board. Such notice shall inform the injured employee that the employer is ceasing temporary payment of compensation and prescribed medicine. Upon the cessation of temporary payments of compensation and prescribed medicine, all parties to any action pursuant to this chapter shall retain all rights, defenses and obligations they would otherwise have pursuant to this chapter without regard for the temporary payment of compensation and prescribed medicine.

§ 2. Paragraph (d) of subdivision 1 of section 25 of the workers' compensation law, as amended by chapter 635 of the laws of 1996, is amended to read as follows:

(d) Whenever for any reason compensation payments cease, the employer or its insurance carrier shall within [~~sixteen~~] **thirty** days thereafter, send to the chair a notice on a form prescribed by the chair that such payment has been stopped, which notice shall contain the name of the injured employee or his or her principle dependent, the date of accident, the date to which compensation has been paid and the whole amount of compensation paid. In case the employer or its insurance carrier

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

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fails so to notify the chair of the cessation of payments within [~~sixteen~~] **thirty** days after the date on which compensation has been paid, the board may impose a penalty upon such employer or its insurance carrier in the amount of three hundred dollars, which shall be paid to the claimant. Such penalty shall be collected in like manner as an award of compensation.

§ 3. This act shall take effect immediately.