STATE OF NEW YORK

9609

IN ASSEMBLY

January 21, 2026

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

AN ACT to amend the workers' compensation law and the environmental conservation law, in relation to approving notice and proof of disability from an attending nurse practitioner

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

Section 1. Subdivisions 1 and 2 of section 217 of the workers' compensation law, as amended by section 16 of part SS of chapter 54 of the laws of 2016, are amended to read as follows:

1. Written notice and proof of disability or proof of need for family leave shall be furnished to the employer by or on behalf of the employee claiming benefits or, in the case of a claimant under section two hundred seven of this article, to the chair, within thirty days after commencement of the period of disability. Additional proof shall be furnished thereafter from time to time as the employer or carrier or chair may require but not more often than once each week. Such proof shall include a statement of disability by the employee's attending physician **or attending nurse practitioner** or attending podiatrist or attending chiropractor or attending dentist or attending psychologist or attending certified nurse midwife or family leave care recipient's health care provider, or in the case of an employee who adheres to the faith or teachings of any church or denomination, and who in accordance with its creed, tenets or principles depends for healing upon prayer through spiritual means alone in the practice of religion, by an accredited practitioner, containing facts and opinions as to such disability in compliance with regulations of the chair. Failure to furnish notice or proof within the time and in the manner above provided shall not invalidate the claim but no benefits shall be required to be paid for any period more than two weeks prior to the date on which the required proof is furnished unless it shall be shown to the satisfaction of the chair not to have been reasonably possible to furnish such notice or proof and that such notice or proof was furnished as soon as possible; provided, however, that no benefits shall be paid unless the required

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

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proof of disability is furnished within the period of actual disability or family leave that does not exceed the statutory maximum period permitted under section two hundred four of this article. No limitation of time provided in this section shall run as against any disabled employee who is mentally incompetent, or physically incapable of providing such notice as a result of a serious medical condition, or a minor so long as such person has no guardian of the person and/or property.

2. An employee claiming disability benefits shall, as requested by the employer or carrier, submit [~~himself or herself~~] themselves at intervals, but not more than once a week, for examination by a physician or nurse practitioner or podiatrist or chiropractor or dentist or psychologist or certified nurse midwife designated by the employer or carrier. All such examinations shall be without cost to the employee and shall be held at a reasonable time and place.

§ 2. Subdivisions 16 and 17 of section 11-0901 of the environmental conservation law, subdivision 16 as amended by section 13 of part EE of chapter 55 of the laws of 2014, subdivision 17 as added by chapter 424 of the laws of 1992, and such subdivisions as renumbered by chapter 762 of the laws of 2023, are amended to read as follows:

16. Notwithstanding any inconsistent provision of this section, the department may adopt regulations to allow the taking of big game or small game by the use of a long bow equipped with a mechanical device for holding and releasing the bowstring, attached to the handle section of an otherwise legal long bow, to any person with a physical disability who is physically incapable of drawing and holding a long bow because of a physical disability, subject to such restrictions as the department may adopt by regulation. For the purpose of this subdivision, a person with a physical disability shall mean any person who submits to the department a statement of a physician duly licensed to practice medicine or of a duly certified nurse practitioner that such person is physically incapable of arm movement sufficient to draw, hold and release a long bow as defined in subdivision four of this section or as otherwise defined in department regulation. The department is authorized to adopt regulations requiring documentation to establish that an applicant is eligible to use a mechanical device pursuant to this subdivision.

17. Notwithstanding any inconsistent provision of this section, the department may issue to a physically disabled person a permit to take big game or small game by the use of a cross-bow equipped with an apparatus permitting release of the bowstring by means of such person's discharge of breath. For the purposes of this subdivision, "physically disabled person" shall mean any person who submits to the department a statement of a physician duly licensed to practice medicine in this state, or of a duly certified nurse practitioner, that such person is permanently physically incapable of arm movement sufficient to release a pre-drawn bow authorized under subdivision fifteen of this section.

§ 3. This act shall take effect on the sixtieth day after it shall have become a law.