STATE OF NEW YORK

4518

2025-2026 Regular Sessions

IN SENATE

February 6, 2025

Introduced by Sens. RAMOS, JACKSON -- read twice and ordered printed, and when printed to be committed to the Committee on Labor

AN ACT to amend the workers' compensation law, in relation to communications between a claimant's attorney or representative and an injured employee's treating provider or a claimant's medical consultant

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

Section 1. Paragraph (a) of subdivision 6 of section 13-a of the workers' compensation law, as amended by section 8 of part CC of chapter 55 of the laws of 2019, is amended to read as follows:

(a) Any interference by any person with the selection by an injured employee of an authorized physician to treat [~~him~~] **such injured employee**, except when the selection is made pursuant to article ten-A of this chapter, and the improper influencing or attempt by any person improperly to influence the medical opinion of any physician who has treated or examined an injured employee, shall be a misdemeanor; provided, however, that it shall not constitute interference or improper influence if, in the presence of such injured employee's physician, an employer, [~~his~~] **such injured employee's** carrier or agent should recommend or provide information concerning rehabilitation services or the availability thereof to an injured employee or [~~his~~] **such injured employee's** family. **It shall not constitute improper influence or an attempt to improperly influence if a claimant's attorney or representative communicates, verbally or in writing, with an injured employee's treating provider or a claimant's medical consultant. Such communication shall not serve as a basis to diminish or preclude the opinion of the treating provider or claimant's consultant. It shall not be presumed that a claimant's attorney or representative's communication with the injured employee's treating provider or claimant's medical consultant was an attempt to improperly influence the treating provider or medical consultant.**

§ 2. This act shall take effect immediately.

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

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