STATE OF NEW YORK

11273

IN ASSEMBLY

May 4, 2026

Introduced by M. of A. PHEFFER AMATO -- read once and referred to the Committee on Governmental Employees

AN ACT to amend the retirement and social security law, in relation to providing for presumptions for certain impairments of health

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

Section 1. The retirement and social security law is amended by adding a new section 607-m to read as follows:

§ 607-m. Certain impairments of health. Notwithstanding the provisions of any general, special or local law or administrative code to the contrary, a member who serves as an ambulance medical technician, ambulance medical technician coordinator, ambulance medical technician/supervisor or a member who performs ambulance medical technician related services, or a police medic, police medic coordinator, police medic supervisor, bureau director emergency ambulance - county, assistant director emergency ambulance services - county, or a member who performs police medic or police emergency ambulance related services for the Nassau county police department who in performance of their duties contracts HIV, where there may have been an exposure to a bodily fluid of an individual or a person as a natural and proximate result of an act of any individual that may have involved transmission of a specified transmissible disease from an individual to such member, tuberculosis or hepatitis will be presumed to have contracted by such disease in the performance or discharge of their duties, and will be presumed to be disabled from the performance of their duties, unless the contrary be proved by competent evidence.

§ 2. All the past services costs associated with implementing the provisions of this act shall be borne by the county of Nassau and may be amortized over a period of ten years.

§ 3. Notwithstanding any other provision of law to the contrary, none of the provisions of this act shall be subject to the appropriation requirement of section 25 of the retirement and social security law.

§ 4. This act shall take effect immediately.

FISCAL NOTE.--Pursuant to Legislative Law, Section 50:

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

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This bill would provide a performance of duty (POD) disability presumption to certain members employed by the Nassau county police department who perform police medic or police emergency ambulance related services, are impaired due to contracting HIV, tuberculosis, or hepatitis following exposure to bodily fluids. Members must be covered under section 607-j of the retirement and social security law. The benefit is 50% of final average salary.

This proposal would likely lead to an increased number of POD disability benefits for future retirees.

We estimate that the annual contributions of Nassau county will not materially increase because of this proposal.

There will be an immediate past service cost of $84,300 which will be borne by Nassau county as a one-time payment. This estimate assumes that payment will be made on February 1, 2027. If Nassau county elects to amortize this cost over 10 years, the cost for each year will be $10,800.

Further, there could be some administrative costs to implement the provisions of this legislation.

These estimated costs are based on 126 affected members employed by Nassau county, with annual salary of approximately $21 million as of March 31, 2025.

Summary of relevant resources:

Membership data as of March 31, 2025 was used to measure the impact of the bill, the same data used in the Actuarial Valuations dated April 1, 2025. Distributions and other statistics can be found in the 2025 Report of the Actuary and the 2025 Annual Comprehensive Financial Report. The actuarial assumptions and methods used are described in the 2025 Annual Report to the Comptroller on Actuarial Assumptions, and the Codes, Rules and Regulations of the State of New York: Audit and Control. The fair value of assets and GASB disclosures can be found in the 2025 Financial Statements and Supplementary Information.

Assumptions, demographics, and other considerations may have been modified to better reflect specific provisions of any proposed benefit change(s).

This fiscal note does not constitute a legal opinion on the viability of the bill, nor is it intended to serve as a substitute for the professional judgment of an attorney.

This estimate, dated April 28, 2026, and intended for use only during the 2026 Legislative Session, is Fiscal Note Number 2026-110. As Chief Actuary of the New York State and Local Retirement System (NYSLRS), I, Aaron Schottin Young, hereby certify that this analysis complies with applicable Actuarial Standards of Practice as well as the Code of Professional Conduct and Qualification Standards for Actuaries Issuing Statements of Actuarial Opinion of the American Academy of Actuaries, of which I am a member. I am a member of NYSLRS but do not believe it impairs my objectivity.