STATE OF NEW YORK

7591

2025-2026 Regular Sessions

IN ASSEMBLY

April 1, 2025

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

AN ACT to amend the general municipal law, in relation to benefits for employees of governmental entities performing emergency medical services in the city of New York who suffer any condition or impairment of health caused by a stroke resulting in disability or death

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

Section 1. The general municipal law is amended by adding a new section 207-qq to read as follows:

§ 207-qq. Disabilities of emergency medical technicians or advanced emergency medical technicians in certain cities resulting from stroke. Notwithstanding the provisions of any general, special or local law or administrative code to the contrary, but except for the purposes of the workers' compensation law and the labor law, any condition of impairment of health caused by a stroke resulting in total or partial disability or death to a paid employee of a fire department who performs the functions of an emergency medical technician or advanced emergency medical technician in a city with a population of one million or more, where such employee is drawn from competitive civil service lists, who successfully passed a physical examination on entry into the service of such department, which examination failed to reveal any evidence of such condition, shall be presumptive evidence that it was incurred in the performance of duty, unless the contrary be proved by competent evidence.

§ 2. This act shall take effect immediately.

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

SUMMARY: This proposed legislation would provide Emergency Medical Technicians (EMT) members of the New York City Employees' Retirement System (NYCERS) a rebuttable statutory presumption that a qualifying partial or total disability or death related to the occurrence of a stroke was incurred in the performance of duty.

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

LBD00094-02-5

ILLUSTRATION - INCREASE (DECREASE) IN EMPLOYER CONTRIBUTIONS
by Fiscal Year for the first 25 years ($ in Thousands)

	One Incident		One Incident Per Year	
Year	Disability	Death	Disability	Death
2026	52	153	52	153
2027	52	153	106	310
2028	52	153	161	471
2029	52	153	218	638
2030	52	153	276	810
2031	52	153	336	987
2032	52	153	398	1,169
2033	52	153	462	1,356
2034	52	153	528	1,550
2035	52	153	596	1,749
2036	52	153	666	1,954
2037	52	153	738	2,165
2038	52	153	812	2,382
2039	52	153	889	2,606
2040	0	0	915	2,684
2041	0	0	943	2,765
2042	0	0	971	2,848
2043	0	0	1,000	2,933
2044	0	0	1,030	3,021
2045	0	0	1,061	3,112
2046	0	0	1,093	3,205
2047	0	0	1,126	3,302
2048	0	0	1,159	3,401
2049	0	0	1,194	3,503
2050	0	0	1,230	3,608

Employer contribution impact beyond Fiscal Year 2050 is not shown.

The potential increases in employer contributions will be allocated to New York City.

PRESENT VALUE OF BENEFITS: The Present Value of Benefits is the discounted expected value of benefits paid to current members if all assumptions are met, including future service accrual and pay increases. Future new hires are not included in this present value.

INITIAL INCREASE (DECREASE) IN ACTUARIAL PRESENT VALUES
as of June 30, 2024 ($ in Thousands)

Present Value (PV)	Per Disability	Per Death
(1) PV of Employer Contributions:	440	1,290
(2) PV of Employee Contributions:	**(39)**	**0**
Total PV of Benefits (1) + (2):	401	1,290

UNFUNDED ACCRUED LIABILITY (UAL): Actuarial Accrued Liabilities are the portion of the Present Value of Benefits allocated to past service. Changes in UAL per incident would be recognized as ongoing gain/loss.

AMORTIZATION OF UNFUNDED ACCRUED LIABILITY

Recognized as Ongoing Gain/Loss	Per Disability	Per Death
Increase (Decrease) in UAL:	440 K	1,290 K
Number of Payments:	14	14
Amortization Payment:	52 K	153 K

CENSUS DATA: The number of members who will benefit in the future from this proposed legislation is unknown. The estimates presented herein are based on preliminary census data collected as of June 30, 2024. The census data for the potentially impacted population used to develop the average costs is summarized below.

	NYCERS
Active Members	
- Number Count:	4,232
- Average Age:	36.5
- Average Service:	9.2
- Average Salary:	73,900

IMPACT ON MEMBER BENEFITS: Currently, NYCERS EMT members who become disabled due to a stroke would generally be eligible for an applicable ordinary disability retirement benefit after attaining 10 years of service. The disability benefit is generally a lifetime payment equal to the greatest of 1/3 of Final Average Salary (FAS), 1/60th of FAS times service, or the service retirement benefit, if eligible.

Under the proposed legislation, the performance of duty disability benefit for NYCERS EMT members who are disabled from a stroke would be equal to 75% of FAS.

The ordinary death benefit for NYCERS EMT members is a lump sum payment generally equal to three times the member's salary plus a return of member contributions. Under the proposed legislation, the performance of duty death benefit would generally be equal to a lifetime benefit of 50% of a member's wages earned during their last year of service, plus, if applicable, the Special Accidental Death Benefit (SADB) payable under General Municipal Law section 208-f.

ASSUMPTIONS AND METHODS: The estimates presented herein have been calculated based on the Revised 2021 Actuarial Assumptions and Methods of the impacted retirement systems.

The number of members who will benefit from the proposed legislation is unknown. The cost of this proposed legislation could vary greatly depending on the number of future members who benefit and on their length of service, age, and salary history. In particular, the increase would be greater for a member who is not yet eligible for an ordinary disability benefit when disabled.

The estimated financial impact for disabled members has been calculated assuming 50% would have retired under the current ordinary disability benefit, and 50% would have continued working if the proposed legislation were not passed.

RISK AND UNCERTAINTY: The costs presented in this Fiscal Note depend highly on the actuarial assumptions, methods, and models used, demographics of the impacted population, and other factors such as investment, contribution, and other risks. If actual experience deviates from actuarial assumptions, the actual costs could differ from those presented herein. Quantifying these risks is beyond the scope of this Fiscal Note.

This Fiscal Note is intended to measure pension-related impacts and does not include other potential costs (e.g., administrative and Other Postemployment Benefits). This Fiscal Note does not reflect any chapter laws that may have been enacted during the current legislative session.

STATEMENT OF ACTUARIAL OPINION: Marek Tyszkiewicz and Gregory Zelikovsky are members of the Society of Actuaries and the American Academy of Actuaries. We are members of NYCERS, but do not believe it impairs our

objectivity, and we meet the Qualification Standards of the American Academy of Actuaries to render the actuarial opinion contained herein. To the best of our knowledge, the results contained herein have been prepared in accordance with generally accepted actuarial principles and procedures and with the Actuarial Standards of Practice issued by the Actuarial Standards Board.

FISCAL NOTE IDENTIFICATION: This Fiscal Note 2025-30 dated March 14, 2025 was prepared by the Chief Actuary for the New York City Retirement Systems and Pension Funds and is intended for use only during the 2025 Legislative Session.