



NEW YORK STATE SENATOR

John W. Mannion

## Senator John W. Mannion Introduces Legislative Package to Protect Volunteer Firefighters from Out-of-pocket Legal Expenses and Debt Related to Injuries in the Line of Duty

JOHN W. MANNION March 24, 2023

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SYRACUSE, NY –Senator John W. Mannion today introduced a legislative package to protect volunteer firefighters and their families from incurring out-of-pocket expenses and significant debt while awaiting lengthy Workers' Compensation Board hearings regarding injuries that occurred in the line of duty.

The two bills (S5862 and S5863) focus on expediting workers' compensation hearings and recovering legal fees. They will provide much-needed relief to volunteer firefighters and their families who often face financial strain and long waits for compensation after an injury or death on duty.

Senator John W. Mannion said, "Volunteer firefighters put their lives on the line every day to protect our communities. They should not have to wait months or years for the compensation they deserve following an injury in the line of duty. These bills will help ensure that volunteer firefighters and their families can focus on healing and moving forward, rather than worrying about financial burdens and long legal battles. I commend Art and Nancy Hudson for their tireless advocacy on behalf of volunteer firefighters across the state and I share their commitment to ensuring what happened to them never happens to

another family."

In 2022, volunteer firefighter Art Hudson suffered a cardiac arrest while on duty. Unfortunately, since this incident, Mr. Hudson has been burdened by outstanding medical debt and attorney's fees. The Hudson Family owes tens of thousands of dollars while awaiting reimbursement. An incident like this could happen to any one of the state's 100,000 volunteer firefighters

Art and Nancy Hudson said, "These bills are critical to ensuring that volunteer firefighters receive the support they need when they need it most. Senator Mannion has been a true champion for volunteer firefighters, and we are grateful for his leadership and partnership in advancing this legislative package."

Senator Mannion wants to shorten the lengthy compensation process that volunteer firefighters currently face. The Workers' Compensation Board often takes several months or even up to a year to resolve cases. This bill would expedite the compensation process for volunteer firefighters by requiring the Workers' Compensation Board to order a hearing within 120 days of the claim being filed, allowing volunteer firefighters to avoid the added stress of lengthy case timelines and financial strain.

The legislation will also relieve financial stress for volunteer firefighters by allowing them to recover legal fees without having to pay a percentage of their compensation award. Currently, legal fees are deducted from the award amount, leaving claimants like Mr. Hudson to pay out-of-pocket. Senator Mannion's bill allows the Workers' Compensation Board to assess the cost of legal fees against the insurance company, ensuring that claimants receive their full award amount.

The bills have received broad support from firefighter organizations across the state.

Marcellus Fire Chief Joel McNally said, "Volunteer firefighters make incredible sacrifices in service to their communities. It is wrong for selfless volunteers like Art Hudson to be subjected to a bureaucratic and financial nightmare while recovering from an on-duty injury. The Marcellus Fire Department applauds Senator John Mannion for addressing this injustice through legislative action and for continually standing up for first responders and our members."

Mark Delasin, President of the Marcellus Fire Department said, "I commend Senator Mannion for his continued advocacy for volunteer fire departments. As we continue to address historic recruiting challenges, his legislation will bring peace of mind to new members who are concerned what an on-duty injury may mean for themselves and their families."

James R. Comstock, President of the New York State Association of Fire Chiefs said, "Both bills that have been introduced recognize and address the real world needs of the volunteer fire service and we look forward to working on getting them signed into law."

"On a daily basis, New York State asks its volunteer firefighters to respond to all kinds of emergencies in their communities on a moment's notice," said Edward Tase, Jr., President of the Firefighters Association of the State of New York (FASNY). "Our dedicated volunteers answer those calls without hesitation, knowing full well that firefighting is an inherently dangerous activity that can lead to injury, or heaven forbid, the supreme sacrifice in the course of helping our neighbors. Our volunteers and their families need to know that if they should suffer injury, illness or worse in the performance of their duties, their claims will be dealt with in a timely fashion and that any attorney fees they may incur will also be addressed in the process. We commend and thank Senator Mannion for introducing these two important pieces of legislation to protect our volunteer firefighters and their families. We also call upon the legislature to act this session on FASNY's legislation that will provide

parity in Volunteer Firefighter's Benefit Law benefits with those provided to all other workers under the Worker's Compensation system. Our state's volunteers deserve to be treated fairly and equally in all aspects when they are injured in the line of duty."

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