

2016 -- H 7791

=====
LC005128
=====

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2016

—————
A N A C T

RELATING TO STATE AFFAIRS AND GOVERNMENT -- CORRECTIONS
DEPARTMENT--SICKNESS AND INJURY PAY FOR CORRECTIONS PERSONNEL

Introduced By: Representatives Carnevale, McKiernan, and O'Brien

Date Introduced: March 02, 2016

Referred To: House Finance

It is enacted by the General Assembly as follows:

1 SECTION 1. Chapter 42-56 of the General Laws entitled "Corrections Department" is
2 hereby amended by adding thereto the following section:

3 **42-56-42. Salary payment during line of duty illness or injury.** – (a) Whenever any
4 correctional officer or an employee who works in security or deals directly with inmates, while in
5 the performance of their duties, is wholly or partially incapacitated by reason of injuries received
6 or illness contracted in the performance of their duties, or due to their rendering of emergency
7 assistance within the physical boundaries of the state at any occurrence involving the protection
8 or rescue of human life which necessitates that they respond in a professional capacity when they
9 would normally be considered by their employer to be officially off duty, the state of Rhode
10 Island, (by which the correctional officer is employed), shall, during the period of the incapacity:

11 (1) Pay the correctional officer, the salary or wage and benefits to which the correctional
12 officer would be entitled had they not been incapacitated; and

13 (2) Pay the medical, surgical, dental, optical, or other attendance, or treatment, nurses,
14 and hospital services, medicines, crutches, and apparatus for the necessary period.

15 (b) The state shall be obligated to pay only the difference between the maximum amount
16 allowable under existing insurance coverage and the actual cost of the treatment, service, or
17 equipment.

18 (c) This section applies to correctional officers while traveling to work and returning to

1 their home. In addition, the state shall pay all similar expenses incurred by a member who has
2 been placed on a disability pension and suffers a recurrence of the injury or illness that dictated
3 their disability retirement.

4 (d) All declarations required under this section shall contain the following language:

5 "Under penalty of perjury, I declare and affirm that I have examined this declaration,
6 including any accompanying schedules and statements, and that all statements contained herein
7 are true and correct."

8 (e) A person who so applies shall continue to receive injured-on-duty (IOD) payments,
9 and the right to continue to receive IOD payments of a person who so applies shall terminate in
10 the event of a final ruling of the workers' compensation court allowing accidental disability
11 benefits. Nothing herein shall be construed to limit or alter any and all rights of the parties with
12 respect to independent medical examination or otherwise, as set forth in the applicable collective
13 bargaining agreement.

14 SECTION 2. This act shall take effect upon passage.

=====
LC005128
=====

EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

A N A C T

RELATING TO STATE AFFAIRS AND GOVERNMENT -- CORRECTIONS
DEPARTMENT--SICKNESS AND INJURY PAY FOR CORRECTIONS PERSONNEL

1 This act would provide corrections personnel working in security or directly with inmates
2 full pay and benefits, including reimbursement for non-insurance paid medical expenses, and
3 would extend that coverage to certain injuries suffered during off-duty emergencies, travel to
4 work and returning to their home.

5 This act would take effect upon passage.

=====
LC005128
=====