

Important Update to New York VFBL and VAWBL Law

On December 17, 2014, Governor Cuomo signed Chapter 496 of the Laws of 2014 into law amending the General Municipal Law (Section 209-i, 1-b) and the Volunteer Ambulance Workers' Benefit Law. This amendment makes coverage available to volunteer firefighters and volunteer ambulance workers when they volunteer their services to another volunteer fire company or volunteer ambulance company before an officer in charge at the scene accepts their services. Under the prior law, a volunteer firefighter or volunteer ambulance worker was granted coverage only when the officer in charge of the company being assisted accepted the services of the volunteer providing assistance. Once the officer in charge accepted the volunteer's assistance, then coverage would be afforded to the volunteer under the accepting entity's VFBL or VAWBL.

With this new amendment, if a resolution is passed by the governing body of a volunteer fire company or volunteer ambulance company, coverage would be afforded to that volunteer by their "home" company up until the point the jurisdictional officer accepts or rejects their services. Important notes from this legislation include:

- The governing body of the responding firefighter or volunteer ambulance worker must pass a resolution in order for such coverage to be available.
- Upon arrival of the jurisdictional officer in command, the assisting volunteer's services must be accepted by the officer in charge or the assisting volunteer must cease assisting at the scene. This amendment went into effect on June 15, 2015.

If a NYS Public Entities Safety Group 497 member passes a resolution to make this coverage available to their volunteer firefighters or volunteer

ambulance workers, please forward a copy of the executed resolution to Fleury Risk Management to keep on file. It can be mailed or sent electronically to the address below.

Fleury Risk Management

28 Corporate Drive, Suite 104

Clifton Park, NY 12065

Attention: John Fleury

john@fleuryrisk.com

*Please note: The information provided is for general use only. **Fleury Risk Management does not offer legal advice.** Please consult your attorney concerning any specific legal matter.*

