

LEGISLATIVE REFERENCE BUREAU

L.R.B. Form No. 4 (Rev. 1/11/17)

2019D00617SFR:BTW

No. _____

LEGISLATIVE REFERENCE BUREAU

AN ACT

Amending the act of December 8, 1959 (P.L.1718, No.632), entitled "An act providing for the payment of the salary, medical and hospital expenses of employes of State penal and correctional institutions, State mental hospitals, Youth Development Centers, County Boards of Assistance, and under certain conditions other employes of the Department of Public Welfare, who are injured in the performance of their duties; and providing benefit to their widows and dependents in certain cases," further providing for a limitation on salary payments to employees.

INTRODUCED _____ 20 _____

By _____ District NO. _____

By _____ District NO. _____

By _____ District NO. _____

By _____ District NO. _____

See next page for additional co-sponsors.

Prior Session _____

Referred to Committee on

Date _____ 20 _____

Reported _____ 20 _____

As Committed-Amended

Recommendation

By Hon. _____

AN ACT

1 Amending the act of December 8, 1959 (P.L.1718, No.632),
2 entitled "An act providing for the payment of the salary,
3 medical and hospital expenses of employes of State penal and
4 correctional institutions, State mental hospitals, Youth
5 Development Centers, County Boards of Assistance, and under
6 certain conditions other employes of the Department of Public
7 Welfare, who are injured in the performance of their duties;
8 and providing benefit to their widows and dependents in
9 certain cases," further providing for a limitation on salary
10 payments to employees.

11 The General Assembly of the Commonwealth of Pennsylvania
12 hereby enacts as follows:

13 Section 1. Section 1 of the act of December 8, 1959
14 (P.L.1718, No.632), entitled "An act providing for the payment
15 of the salary, medical and hospital expenses of employes of
16 State penal and correctional institutions, State mental
17 hospitals, Youth Development Centers, County Boards of
18 Assistance, and under certain conditions other employes of the
19 Department of Public Welfare, who are injured in the performance
20 of their duties; and providing benefit to their widows and
21 dependents in certain cases," is amended to read:

1 Section 1. Any employe of a State penal or correctional
2 institution under the Bureau of Correction of the Department of
3 Justice and any employe of a State mental hospital or Youth
4 Development Center under the Department of [Public Welfare]
5 Human Services, who is injured during the course of [his]
6 employment by an act of any inmate or any person confined in
7 such institution or by any person who has been committed to such
8 institution by any court of the Commonwealth of Pennsylvania or
9 by any provision of the ["Mental Health Act"] act of July 9,
10 1976 (P.L.817, No.143), known as the Mental Health Procedures
11 Act, and any employe of County Boards of Assistance injured by
12 act of an applicant for or recipient of public assistance and
13 any employe of the Department of [Public Welfare] Human Services
14 who has been assigned to or who has volunteered to join the fire
15 fighting force of any institution of the Department of [Public
16 Welfare] Human Services injured while carrying out fire fighting
17 duties, shall be paid, by the Commonwealth of Pennsylvania,
18 [his] the employe's full salary[,] for no more than three years
19 from the date of the injury, or until the disability arising
20 therefrom no longer prevents [his] the employe's return as an
21 employe of such department, board or institution at a salary
22 equal to that earned by [him] the employe at the time of [his]
23 injury, whichever is sooner.

24 All medical and hospital expenses incurred in connection with
25 any such injury shall be paid by the Commonwealth of
26 Pennsylvania for no more than three years from the date of the
27 injury, or until the disability arising from such injury no
28 longer prevents [his] the employe's return as an employe of such
29 department, board or institution at a salary equal to that
30 earned by [him] the employe at the time of [his] injury,.

1 whichever is sooner.

2 During the time salary for such disability shall be paid by
3 the Commonwealth of Pennsylvania any workmen's compensation
4 received or collected for such period shall be turned over to
5 the Commonwealth and paid into the General Fund, and if such
6 payment shall not be so made, the amount so due the Commonwealth
7 shall be deducted from any salary then or thereafter becoming
8 due and owing.

9 The [widow] surviving spouse and minor dependents of any
10 employe who dies within one year as a result of such injuries
11 shall be paid benefits equal to fifty per cent of the full
12 salary of the deceased employe.

13 When a [widow] surviving spouse and minor dependents not in
14 [her] the surviving spouse's custody are entitled to payments,
15 one-half of such payments shall be paid to the [widow] surviving
16 spouse and one-half to the dependents. In every case the amount
17 payable to minor dependents shall be divided equally among them
18 and be paid to the persons or institutions having custody of
19 them.

20 In the case of a [widow] surviving spouse or a [widow]
21 surviving spouse with minor dependents in [her] the surviving
22 spouse's custody, such benefits shall terminate when such
23 [widow] surviving spouse remarries. In the case of minor
24 dependents, except when in the custody of a remarried [widow]
25 surviving spouse, such benefits shall terminate when all of the
26 minor dependents become eighteen years of age. Neither a [widow]
27 surviving spouse nor minor dependents shall receive any benefits
28 under this act while receiving benefits under the [Federal]
29 Social Security [Law] Act (49 Stat. 620, 42 U.S.C. § 301 et
30 seq.). The benefits provided by this act shall be reduced by the

1 amount of any workmen's compensation benefits received or
2 collected by any such [widow] surviving spouse or minor
3 dependents because of the same injury. Payments for the benefit
4 of minor dependents shall be made to the person having legal
5 custody of them.

6 Section 2. This act shall take effect immediately.