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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2015

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A N A C T

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

Introduced By: Senators Gallo, and Ruggerio

Date Introduced: May 14, 2015

Referred To: Senate Labor

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 his or her duties is wholly or partially incapacitated by reason of injuries  
6 received or sickness contracted in the performance of his or her duties or due to their rendering of  
7 emergency assistance within the physical boundaries of the state of Rhode Island at any  
8 occurrence involving the protection or rescue of human life which necessitates that they respond  
9 in a professional capacity when they would normally be considered by their employer to be  
10 officially off duty, the state of Rhode Island, by which the correctional officer is employed, shall,  
11 during the period of the incapacity, pay the correctional officer, the salary or wage and benefits to  
12 which the correctional officer would be entitled had he or she not been incapacitated, and shall  
13 pay the medical, surgical, dental, optical, or other attendance, or treatment, nurses, and hospital  
14 services, medicines, crutches, and apparatus for the necessary period, with insurance coverage for  
15 the related treatment, services, or equipment, is only obligated to pay the difference between the  
16 maximum amount allowable under the insurance coverage and the actual cost of the treatment,  
17 service, or equipment. This section applies to correctional officers while traveling to work and  
18 returning to their home. In addition, the state of Rhode Island shall pay all similar expenses

1 incurred by a member who has been placed on a disability pension and suffers a recurrence of the  
2 injury or illness that dictated his or her disability retirement.

3 All declarations required under this section shall contain the following language:

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

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

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

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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

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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 travel to work and returning to their  
4 home.

5           This act would take effect upon passage.

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