GML SECTION 209(I) AMENDED REGARDING VFBL AND VAWBL COVERAGE

Governor Andrew Cuomo signed into law on 12/17/14 a bill that extends benefits to certain volunteer firefighters and volunteer ambulance workers when they are injured in the line of duty while assisting at an emergency before an officer in command arrives at the scene. Previous to the passage of the law, volunteers who provided emergency services outside of their regular jurisdiction — before "an officer in command" arrived on the scene of the emergency – could be denied benefits covering their injuries. Bill No. A00400/S03590 states: In the event that an active volunteer firefighter or volunteer ambulance worker provides services when there is no jurisdictional officer in command present, such volunteer firefighter or volunteer ambulance worker shall be entitled to coverage under the Volunteer Firefighters Benefit Law or the Volunteer Ambulance Workers Benefit Law during the time such services are rendered.

Only those entities that operate under General Municipal Law (GML) such as fire departments and districts, ambulance districts and municipal ambulance services are covered by GML 209. For those entities, this is a good thing. Independent volunteer ambulance services do not operate under GML and therefore, would probably not be covered by the legislation. Unlike those entities that fall under GML where the agency ***requesting*** mutual aid assumes all liability, for independent VACs, the ***responding*** agency assumes all liability. Generally, If an EMT or paramedic stops to assist at an emergency outside their agency's Authorized Operating Territory they are acting as a Good Samaritan and not considered on-duty.