

NO. 632
AN ACT

Providing for the payment of the salary, medical and hospital expense of employees of State penal and correctional institutions, who are injured in the performance of their duties; and providing benefit to their widows and dependents in certain cases.

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

Section 1. Any employee of a State penal or correctional institution under the Bureau of Correction of the Department of Justice, who is injured during the course of his employment by an act of any inmate or any person confined in such institution or by any person who has been committed to such institution by any court of the Commonwealth of Pennsylvania, shall be paid by the Commonwealth of Pennsylvania; his full salary, until the disability arising there from no longer prevents his return as an employee of such institution at a salary equal to that earned by him at the time of his injury.

All medical and hospital expenses incurred in connection with any such injury shall be paid by the Commonwealth of Pennsylvania until the disability arising from such an injury no longer prevents his return as an employee of such institution at a salary equal to that earned by him at the time of his injury.

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

The widow and minor dependents of any employee who dies within one year as a result of such injuries shall be paid benefits equal to fifty per cent of the full salary of the deceased employee.

When a widow and minor dependents not in her custody are entitled to payments, one-half of such payments shall be paid to the widow and one-half to the dependents. In every case the amount payable to minor dependents shall be divided equally among them and be paid to the persons or institutions having custody of them.

In the case of a widow or a widow with minor dependents in her custody, such benefits shall terminate when such widow remarries. In the case of minor dependents, except when in the custody of a remarried widow, such benefits shall terminate when all of the minor dependents become eighteen years of age. Neither a widow nor minor dependents shall receive any benefits under this act while receiving benefits under the Federal Social Security Law. The benefits provided by this act shall be reduced by the amount of any workmen's compensation benefits received or collected by such widow or minor dependents because of the same injury. Payments for the benefit of minor dependents shall be made to the person having legal custody of them.

Section 2. No absence from duty of any employee of a State penal or correctional institution under the Bureau of Corrections of the Department of Justice by

reason such injury shall in manner be deducted from any period of leave allowed the employee by law or by regulation.

Approved The 8th day of December, A.D. 1959

ACT 532/534

No. 534

AN ACT

Amending the act of December 8, 1959 (P.L. 1713), entitled “An act providing for the payment of the salary, medical and hospital expenses of employes of State penal and correctional institutions, who are injured in the performance of their duties; and providing benefit to their widows and dependents in certain cases,” extending the act to provide for payment of salary, medical and hospital expenses of employes of State mental hospitals, Youth Development Centers and County Boards of Assistance, who are injured in the course of their employment, and of employes of the Department of Public Welfare injured while fighting fires.

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

Section 1. The title and sections 1 and 2, act of December 8, 1959 (P.O. 1718), entitled “An act providing for the payment of the salary, medical and hospital expenses of employes of State penal and correctional institutions, who are injured in the performance of their duties; and providing benefit to their widows and dependents in certain cases,” are amended to read:

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.

Section 1. Any employe of a state penal or correctional institution under the Bureau of Correction of the department of Justice and any employe of a State mental hospital or Youth Development Center under the Department of Public Welfare, who is injured during the course of his employment by an act of any inmate or any person confined in such institution or by any person who has been committed to such institution by any court of the Commonwealth of Pennsylvania or by any provision of the “Mental Health Act” and any employe of County Boards of Assistance injured by act of an applicant for or recipient of public assistance and any employe of the Department of Public Welfare who has been assigned to or who has volunteered to join the fire fighting force of any institution of the Department of Public Welfare injured while carrying out fire fighting duties, shall be paid, by the Commonwealth of Pennsylvania, his full salary,

until the disability arising therefrom no longer prevents his return as an employe of such department, board or institution at a salary equal to that earned by him at the time of his injury.

All medical and hospital expenses incurred in connection with any such injury shall be paid by the Commonwealth of Pennsylvania until the disability arising from such injury no longer prevents his return as an employe of such department, board or institution at a salary equal to that earned by him at the time of his injury.

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

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

When a widow and minor dependents not in her custody are entitled to payments, one half of such payments shall be paid to the widow and one half to the dependents. In every case the amount payable to minor dependents shall be divided equally among them and be paid to the persons or institutions having custody of them.

In the case of a widow or a widow with minor dependents in her custody, such benefits shall terminate when such widow remarries. In the case of minor dependents, except when in the custody of a remarried widow, such benefits shall terminate when all of the minor dependents become eighteen years of age. Neither a widow nor minor dependents shall receive any benefits under this act while receiving benefits under the Federal Social Security Law. The benefits provided by this act shall be reduced by the amount of any workmen's compensation benefits received or collected by any such widow or minor dependents because of the same injury. Payments for the benefit of minor dependents shall be made to the person having legal custody of them.

Section 2. No absence from duty of any State employe [of a State penal, or correctional institution under the Bureau of Corrections of the Department of Justice] to whom this act applies by reason of any such injury shall in any manner be deducted from any period of leave allowed the employe by law or by regulation.

Section 2. This act shall take effect immediately.

APPROVED – the 2nd day of September, A.D. 1961

David L. Lawrence

The foregoing is a true and correct copy of act of the General Assembly No. 534