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May 9, 2016

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The Honorable  
Erie County Legislature  
92 Franklin Street, 4<sup>th</sup> Floor  
Buffalo, New York 14202

Re: Erie County Sheriff's Office – Use of medical specialists to review work related injury cases

Honorable Members:

Attached please find a proposed resolution and accompanying memorandum from the Erie County Sheriff's Office seeking authorization to directly pay various specialized physicians for consultation for work related injuries within the sheriff's office.

The sheriff's office is requesting that your Honorable Body's approve this resolution to reduce the county's costs associated with work related injury cases.

I kindly request the Erie County Legislature's consideration and approval at a meeting of your Honorable Body. Representatives of the Sheriff's Office will be available to answer any questions.

Very truly yours,

TIMOTHY B. HOWARD  
SHERIFF OF ERIE COUNTY

Attachments

## ACCOMPANYING MEMORANDUM

RE: Erie County Sheriff's Office – Use of medical specialists to review work related injury cases

I. Summary of Recommended Action

The attached resolution requests authorization for the Erie County Sheriff's Office to enter into agreements with various medical specialists who provide opinions for the office's work related injury cases. During workers compensation and line of duty hearings, the Erie County Sheriff's Office council needs medial opinions from various doctors with specialized training of the human anatomy to controvert the claimant's reports.

II. Fiscal Implications of Proposal

Without the ability to utilize medical specialists, the Erie County Sheriff's Office cannot properly investigate work related injuries and therefore, increase 207c payments and workers compensation payments.

III. Reasons for Recommendation

The Erie County Sheriff's Office needs legislative approval to enter into agreements with medical specialists for work related injury cases.

IV. Consequence of Negative Action

The Erie County Sheriff's Office would not be unable to properly investigate and review work related injury cases which could result in unnecessary or wrongly determined settlement payments.

V. Steps Following Approval of Measure

Certified copies of the approved resolution are sent to the Division of Budget and Management, the County Executive, the Erie County Comptroller, the County Attorney's Office, and the Chief of Administration of the Sheriff Office for implementation.

## **PROPOSED RESOLUTION**

**Re: Erie County Sheriff's Office – Use of medical specialists to review work related injury cases**

**WHEREAS, law enforcement work is inherently dangerous and requirements of the jobs place personnel into situations where physical altercations occur; and**

**WHEREAS, whether a Deputy or Corrections Officer is confronting a suspect or trying to control an inmate physical injuries occur; and**

**WHEREAS, various parts of the anatomy are injured during work related duties requiring specialized physicians to diagnose and treat injuries; and**

**WHEREAS, the Erie County Sheriff's Office needs to consult with various specialists to evaluate, provide a second opinion, and if necessary, controvert the original diagnoses of injuries and treatments sheriff's office personnel receive; and**

**WHEREAS, the sheriff's office needs to ability to quickly confer with, and utilize various medical specialist throughout the injury review hearing process; and**

**WHEREAS, currently, each time the sheriff's office needs to confer with a new or different medical professional, the office needs to seek legislative approval for each physician prior to their review; and**

**WHEREAS, this process can take a month, or longer, and these delays increase costs to the county by extending the duration in which injury cases are reviewed; and**

**WHEREAS, these delays also increases the time sheriff's office personnel are out of work receiving full pay.**

**NOW, THEREFORE, BE IT**

**RESOLVED, that the Erie County Sheriff's Office is hereby authorized to utilize recommended physicians for a period of time needed to settle work related injury case; and be it further**

**RESOLVED, that the Erie County Legislature does hereby authorize the Erie County Sheriff's Office to directly pay various specialized physicians who are recommended by the sheriff's office counsel for work related injury review; and be it further**

**RESOLVED, the Erie County Comptroller's Office is hereby authorized to release the designated funds and make payments as necessary; and be it further**

**RESOLVED**, that the Clerk of the Legislature send certified copies to the Division of Budget and Management, the County Executive, the Erie County Comptroller, the County Attorney's Office, and the Chief of Administration of the Sheriff Office for implementation.