

# HOUSE . . . . No. 1675

By Mr. Randall of Framingham, petition of William I. Randall for further indemnification by cities and towns of certain retired police officers and fire fighters for hospital, medical and surgical expenses. Public Service.

## The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Fifty-Six.

AN ACT PROVIDING FOR FURTHER INDEMNIFICATION BY CITIES AND TOWNS OF CERTAIN RETIRED POLICE OFFICERS AND FIRE FIGHTERS FOR CERTAIN HOSPITAL, MEDICAL AND SURGICAL EXPENSES.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1 Section 100B of chapter 41 of the General Laws is  
2 hereby amended by striking out the words "(3) that  
3 such expenses were incurred after the acceptance of this  
4 section;";— so that the section reads as follows:— *Sec-*  
5 *tion 100B.* Any city operating under a Plan D or Plan E  
6 charter which accepts this section by the affirmative  
7 vote of two thirds of all the members of its city council,  
8 and any other city which accepts this section by a ma-  
9 jority vote of its city council, with the approval of its  
10 mayor, and any town which accepts this section by a  
11 majority vote of its inhabitants at an annual town meet-  
12 ing, may, upon written application by any of its police  
13 officers or fire fighters retired either before or after the  
14 acceptance of this section under a general or special law  
15 specifically relating to retirement for accidental dis-  
16 ability, except a special law applicable to one person, or  
17 in the event of the death of any such police officer or  
18 fire fighter, upon written application by his widow or, if

19 he leaves no widow, by his next of kin, indemnify, out  
20 of any funds appropriated for the purposes of this sec-  
21 tion, such police officer or fire fighter or, in the event of his  
22 death, his widow, or if he leaves no widow, his next of  
23 kin, for all reasonable hospital, medical and surgical ex-  
24 penses incurred within the commonwealth by such police  
25 officer or fire fighter after his retirement; provided, how-  
26 ever, that no person shall be indemnified under this sec-  
27 tion unless a majority of the members of a panel consist-  
28 ing of (a) the chairman of the retirement board of the  
29 city or town, (b) the city solicitor, town counsel or other  
30 officer having similar duties or a person designated in  
31 writing by such solicitor, counsel or officer to act for  
32 him, and (c) such physician as the city or town manager  
33 or, if there is none, the mayor or selectmen in writing  
34 appoint shall, upon receipt from the applicant of due  
35 proof, certify (1) that in the retirement of the police  
36 officer or fire fighter no weight was given to the pre-  
37 sumption provided by section ninety-four of chapter  
38 thirty-two; (2) that the expenses for which indemnifica-  
39 tion is sought were the natural and proximate result of  
40 the disability for which the police officer or fire fighter  
41 was retired; (3) that the hospital, medical and surgical  
42 services to which such expenses relate were rendered  
43 within three months before the filing of the application;  
44 (4) that such expenses were in no way attributable to  
45 the use by the police officer or fire fighter of any intoxi-  
46 cating liquor or drug or to his being gainfully employed  
47 after retirement or to any other willful act or conduct  
48 on his part; and (5) that such expenses are reasonable  
49 under all circumstances.