

SENATE, No. 967

STATE OF NEW JERSEY

INTRODUCED MARCH 18, 1996

By Senator CODEY

1 AN ACT concerning temporary disability benefits and amending
2 P.L.1948, c. 110.

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4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

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7 1. Section of 15 of P.L.1948, c.110 (C.43:21-39) is amended to
8 read as follows:

9 15. Limitation of benefits. Notwithstanding any other provision of
10 the "Temporary Disability Benefits Law," P.L.1948, c.110
11 (C.43:21-25 et seq.), no benefits shall be payable under the State plan
12 to any person:

13 (a) for the first seven consecutive days of each period of disability;
14 except that if benefits shall be payable for three consecutive weeks
15 with respect to any period of disability commencing on or after
16 January 1, 1968, then benefits shall also be payable with respect to the
17 first seven days thereof;

18 (b) for more than 26 weeks with respect to any one period of
19 disability;

20 (c) for any period of disability which did not commence while the
21 claimant was a covered individual;

22 (d) for any period during which the claimant is not under the care
23 of a legally licensed physician, dentist, optometrist, podiatrist,
24 practicing psychologist, or chiropractor, who, when requested by the
25 division, shall certify within the scope of the practitioner's practice, the
26 disability of the claimant, the probable duration thereof, and, where
27 applicable, the medical facts within the practitioner's knowledge;

28 (e) (Deleted by amendment, P.L.1980, c.90.)

29 (f) for any period of disability due to willfully and intentionally
30 self-inflicted injury, or to injury sustained in the perpetration by the
31 claimant of a crime of the first, second, or third degree;

32 (g) for any period during which the claimant performs any work for
33 remuneration or profit;

34 (h) in a weekly amount which together with any remuneration the

EXPLANATION - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and intended to be omitted in the law.

Matter underlined thus is new matter.

1 claimant continues to receive from the employer would exceed regular
2 weekly wages immediately prior to disability;

3 (i) for any period during which a covered individual would be
4 disqualified for unemployment compensation benefits under subsection
5 (b) or (d) of R.S.43:21-5, unless the disability commenced prior to
6 such disqualification; and there shall be no other cause of
7 disqualification or ineligibility to receive disability benefits hereunder
8 except as may be specifically provided in this act.
9 (cf: P.L.1989, c.213, s.2)

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11 2. This act shall take effect immediately.

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STATEMENT

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16 This bill provides that a person shall not collect temporary disability
17 benefits for any period during which he is disqualified for
18 unemployment compensation benefits under subsection (b) of
19 R.S.43:21-5, unless the disability commenced prior to the
20 disqualification. Under subsection (b) of R.S.43:21-5, a person who
21 is terminated because of misconduct is denied unemployment
22 compensation benefits for the week in which the misconduct occurred
23 and for the next five weeks; and a person who is terminated for gross
24 misconduct that was serious enough to be considered a crime is denied
25 unemployment compensation benefits until the person requalifies for
26 such benefits through working again.

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31 Disqualifies persons for temporary disability benefits under certain
32 circumstances.