

FIRE DEPARTMENT OF NEW YORK

*TESTIMONY
OF*

DOUGLAS WHITE
DEPUTY COMMISSIONER FOR ADMINISTRATION

BEFORE
THE CITY COUNCIL COMMITTEES ON
CIVIL SERVICE AND LABOR
AND
FIRE AND CRIMINAL JUSTICE SERVICES

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Introduction

Good morning Chairmen Addabbo and Martinez, and Committee Members. My name is Douglas White and I am the Deputy Commissioner for Administration for the New York City Fire Department (FDNY). At Fire Commissioner Nicholas Scoppetta's direction, I serve as the Chair of the Board of Trustees for the Fire Department Pension Fund. With me this morning is Lei Tian, the Director of the FDNY Pension Fund Board of Trustees.

I am pleased to have the opportunity to speak with you today about Intro 369, the proposed law seeking to amend the Administrative Code of the City of New York to permit additional medical boards to be convened to review disability retirement applications. As you may be aware, we strongly support this bill that will allow us to streamline the processing of pensions to the benefit of our firefighters and the Department.

Background

The FDNY experienced a dramatic increase in the number of disability retirement applications after the tragic events of September 11, 2001, the impact of which is still affecting the Department. By way of comparison, in 1999 the number of applications was 404. In 2003, that number had increased to 719. Since that time, applications remain high, with 427 in 2004, 442 in 2005 and 895 in 2006. Moreover, as of the end of this September, there have been 725 applications processed in 2007, an extraordinary increase due in large part to applications submitted pursuant to the World Trade Center disability legislation enacted by the State Legislature in 2006.

In many cases, a retirement application requires more than a year to process, a delay that burdens both the retiring employee and the FDNY. In addition, because of the World Trade Center disability law, the Pension Fund anticipates that the number of applications submitted pursuant to that law will continue to increase in the future. Having only one medical board available to review each application for a disability retirement pension delays the process.

The Proposed Bill

The proposed legislation would empower the existing Board of Trustees, the Commissioner of Department of Health and Mental Hygiene (DOHMH) and the Commissioner of the Department of Citywide Administrative Services (DCAS) to each appoint up to three alternate physicians to make up additional medical boards.

The legislation also would amend Administrative Code section 13-323 to change an outdated reference to the Commissioner of “hospitals” to the successor DOHMH Commissioner. The proposed legislation also changes the third member of the medical board from a physician appointed by the “Chief Medical Examiner of the City Civil Service Commission” -- a position that no longer exists -- to a physician appointed by the DCAS Commissioner.

This bill would allow additional medical boards to be convened when needed to expedite the retirement process for active firefighters. It would enable the FDNY to resolve quickly the employment status of retiring members and fill more quickly the positions left open by their retirement. Shorter processing time would decrease the amount of overtime created by injured firefighters who remain on the payroll. In addition, the ability to convene additional medical boards would enable the Fire

Department to process more efficiently the pending applications of retired members and to allocate the supplemental portion of their pension that is withheld until the disability application has been processed.

The bill is modeled on sections 13-123 and 13-223 of the Administrative Code, which pertain to the medical boards of the New York City Employees Retirement System (NYCERS) and the New York City Police Department (NYPD), respectively. Pursuant to these two provisions, NYCERS and NYPD can each convene medical boards as they are needed. Given the large number of pending pension applications, the Fire Department would benefit from the ability to convene alternate medical boards in the same manner as NYCERS and the NYPD.

Conclusion

Clearly, it is beneficial for both the FDNY and for our individual firefighters to move the pension process along more quickly, and to resolve more expeditiously the pension status of hundreds of retired and about-to- retire firefighters. The FDNY therefore strongly supports this legislation.

Thank you for allowing me to speak with you today. I would be happy to take any questions at this time.