SENATE DOCKET, NO. 1398 FILED ON: 1/21/2011

SENATE . . . . . No. 1406

The Commonwealth of Massachusetts

PRESENTED BY:

Steven A. Tolman

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying:

An Act providing for the continued medical care and treatment of Ellen E. Englehardt, a state trooper injured in the line of duty..

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Steven A. Tolman	
	☐ *[District]*
	☐

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SENATE . . . . . No. 1406

By Mr. Tolman, a petition (accompanied by bill, Senate, No. 1406) of Steven A. Tolman for legislation to provide for the continued medical care and treatment of Ellen E. Englehardt a state trooper injured in the line of duty. Public Service.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE
SENATE
, NO. *1142* OF 2009-2010.]

The Commonwealth of Massachusetts

An Act providing for the continued medical care and treatment of Ellen E. Englehardt, a state trooper injured in the line of duty..

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to Whereas, the deferred operation of this act would tend to defeat its purpose, which is forthwith to provide for the continued medical care and treatment of Ellen E. Englehardt, a state trooper injured in the line of duty, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience., therefore, it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

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 1. Notwithstanding section 59 of chapter 10 of the General Laws or any other
2 general or special law to the contrary and in order to discharge a moral obligation, the
3 department of state police shall receive such funds from the Head Injury Treatment Services
4 Trust Fund as may be necessary to pay for any shortfall in disability benefits necessary to
5 maintain the continued quality and standard of medical care and treatment for Ellen E.
6 Englehardt, a state trooper injured in the line of duty, on an annual basis in the event the
7 department contracts with the Englehardt guardian estate for proceeds from her legal settlement,
8 directly related to her injuries and not exceeding 75 per cent of the total net proceeds thereof, to
9 pay such costs first; provided, however, that those proceeds shall be expended on Ellen E.
10 Englehardt's care by the department of state police before receiving any appropriation from the

11 fund. If Ellen E. Englehardt ceases to need such medical care and treatment before the total
12 amount of the legal settlement is expended, the remainder thereof shall revert to her estate for
13 distribution to her or her heirs, as the case may be.