

# HOUSE . . . . . No. 5698

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## The Commonwealth of Massachusetts

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HOUSE OF REPRESENTATIVES, October 20, 2026.

The committee on Ways and Means to whom was referred the Bill providing injured on duty compensation to Chelmsford firefighter Nicholas Spinale (printed in House, No. 5429), reports recommending that the same ought to pass with an amendment substituting therefor the accompanying bill (House, No. 5698).

For the committee,

AARON MICHLEWITZ.

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## The Commonwealth of Massachusetts

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In the One Hundred and Ninety-Fourth General Court  
(2025-2026)  
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An Act providing injured on duty compensation to Chelmsford firefighter Nicholas Spinale.

*Whereas*, The deferred operation of this act would tend to defeat its purpose, which is to establish forthwith, injured in the performance of duty benefits for a certain employee of the Chelmsford fire department who is incapacitated as a result of a hazardous workplace injury, 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. (a) Notwithstanding any general or special law to the contrary, Nicholas  
2   Spinale, a firefighter in the town of Chelmsford, shall be eligible for leave from the town without  
3   loss of pay pursuant to section 111F of chapter 41 of the General Laws, retroactive to April 7,  
4   2026, for the period during which he is incapacitated from duty as a Chelmsford firefighter due  
5   to injuries sustained on April 7, 2026 while working for the department of fire services;  
6   provided, that no such leave shall be granted for any period after a physician designated by the  
7   commonwealth or the appointing authority for the town of Chelmsford determines that such  
8   incapacity no longer exists; provided further, that Nicholas Spinale shall not be required to waive  
9   the provisions of chapter 152 of the General Laws; and provided further, that the benefits granted

in this section shall be reduced by the amount of workers' compensation received by Nicholas Spinale under said chapter 152.

(b) Nicholas Spinale shall be eligible for injury leave compensation pursuant to subsection (a) during the period of his incapacity until he is cleared to return to duty or until he reaches age 65 or otherwise retires, whichever occurs first. If such incapacity is deemed to be permanent, Nicholas Spinale shall be eligible to apply for accidental disability retirement pursuant to section 7 of chapter 32 of the General Laws. The commonwealth, the town of Chelmsford or Nicholas Spinale may file the application for disability retirement.

(c) Notwithstanding section 91A of chapter 32 of the General Laws or any other general or special law to the contrary, in the event Nicholas Spinale is pensioned or retires under accidental disability retirement, Nicholas Spinale's annual earnings, when added to his retirement allowance, may annually earn up to 1/2 the amount of his retirement allowance without refund penalty.

SECTION 2. The commonwealth shall reimburse the town of Chelmsford for its payment, pursuant to section 1, of injury leave compensation under section 111F of chapter 41 of the General Laws and for all other costs, including Nicholas Spinale's medically necessary hospital, medical, surgical, chiropractic, nursing, pharmaceutical, prosthetic or related expenses and medically necessary charges for chiropody or podiatry, incurred by the town of Chelmsford pursuant to this act, as the natural and proximate result of the injuries Nicholas Spinale sustained on April 7, 2026, while working for the department of fire services, retroactive to April 7, 2026.

SECTION 3. In the event the incapacity Nicholas Spinale suffered as a result of the injuries he sustained on April 7, 2026 is deemed to be permanent, the amount of pension payable

to Nicholas Spinale shall be fixed annually at an amount equal to the rate of regular compensation which would have been payable to him had he continued in service as a firefighter at the grade held by him on the date of his disability and the annual amount of accidental disability retirement annuity he would receive under Option A of the retirement allowances as provided in section 12 of chapter 32 of the General Laws would apply regardless of which retirement allowance option he chooses under said section 12. Said increased accidental disability retirement allowance shall end on the date Nicholas Spinale turns 65, at which time his accidental disability retirement allowance shall revert to an amount equal to what he would be eligible to receive under section 7 of said chapter 32. All amounts paid under this act shall be nontaxable to the extent allowable pursuant to state and federal tax laws.

SECTION 4. If Nicholas Spinale retires as a result of permanent injuries incurred on April 7, 2026, is married at the time of his retirement and if the death of Nicholas Spinale occurs prior to the date he turns 65 and such spouse survives him, such surviving spouse shall continue to receive the increased accidental disability retirement until the date Nicholas Spinale would have turned 65, at which time such surviving spouse shall be eligible to receive the retirement allowance provided for a surviving spouse pursuant to chapter 32 of the General Laws.