

New York State Workers Compensation Law

§ 54-b. Enforcement on failure to pay award or judgment.

In case of default by a carrier or self-insured employer in the payment of any compensation due under an award for the period of thirty days after payment is due and payable, or in the case of failure by a carrier or self-insured employer to make full payment of an award for medical care issued by the board or the chair pursuant to section thirteen-g of this chapter, the chair in any such case or, on the chair's consent, any party to an award may file with the county clerk for the county in which the injury occurred or the county in which the carrier or self-insured employer has his or her principal place of business,

(1) a certified copy of the decision of the board awarding compensation or ending, diminishing or increasing compensation previously awarded, from which no appeal has been taken within the time allowed therefor, or if an appeal has been taken by a carrier or self-insured employer who has not complied with the provisions of section fifty of this article, where he or she fails to deposit with the chair the amount of the award as security for its payment within ten days after the same is due and payable,

or

(2) a certified copy of the award for medical care issued pursuant to section thirteen-g of this chapter,

and thereupon judgment must be entered in the supreme court by the clerk of such county in conformity therewith immediately upon such filing.

If the payment in default be an installment, the board may declare the entire award due and judgment may be entered in accordance with the provisions of this section. Such judgment shall be entered in the same manner, have the same effect and be subject to the same proceedings as though rendered in a suit duly heard and determined by the supreme court, except that no appeal may be taken therefrom.

The court shall vacate or modify such judgment to conform to any later award or decision of the board upon presentation of a certified copy of such award or decision. The award may be so compromised by the board as in the discretion of the board may best serve the interest of the persons entitled to receive the compensation or benefits. Where an award has been made against a carrier or self-insured employer in accordance with the provisions of subdivision nine of section fifteen, or of section twenty-five-a of this chapter, such an award may be similarly compromised by the board, upon notice to a representative of the fund to which the award is payable, but if there be no representative of any such fund, notice shall be given to such representative as may be designated by the chair of the board; and notwithstanding any other provision of law, such compromise shall be effective without the necessity of any approval by the state comptroller.

Neither the chair nor any party in interest shall be required to pay any fee to any public officer for filing or recording any paper or instrument or for issuing a transcript of any judgment executed in pursuance of this section. The carrier or self-insured employer shall be liable for all costs and attorneys fees necessary to enforce the award.

For the purposes of this section, the term "carrier" shall include the state insurance fund and any stock corporation, mutual corporation or reciprocal insurer authorized to transact the business of workers' compensation insurance in this state.

The Insider: I have taken the liberty of breaking this text up, from the one paragraph as it is written in the law books to something more comprehensible, at least to me.