

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1212 Session of
1987

INTRODUCED BY DOMBROWSKI, FEE, CESSAR, DUFFY, RIEGER, DAWIDA,
PISTELLA, LESCOVITZ, HOWLETT, BATTISTO, MAIALE, CIVERA,
MICOZZIE, MAYERNIK AND DeLUCA, APRIL 29, 1987

REFERRED TO COMMITTEE ON LABOR RELATIONS, APRIL 29, 1987

AN ACT

1 Amending the act of June 28, 1935 (P.L.477, No.193), entitled,
2 as amended, "An act providing for the payment of the salary,
3 medical and hospital expenses of members of the State Police
4 Force, of the enforcement officers and investigators employed
5 by the Pennsylvania Liquor Control Board, and the parole
6 agents, enforcement officers and investigators of the
7 Pennsylvania Board of Probation and Parole, Capitol Police
8 officers, correction officers employed by the Department of
9 Corrections whose principal duty is the care, custody and
10 control of inmates, psychiatric security aides employed by
11 the Department of Public Welfare and the Department of
12 Corrections whose principal duty is the care, custody, and
13 control of the criminally insane, and drug enforcement agents
14 of the Office of Attorney General whose principal duty is the
15 enforcement of the drug laws of the Commonwealth, members of
16 the Delaware River Port Authority Police and of policemen,
17 firemen and park guards by the Commonwealth of Pennsylvania,
18 the Delaware River Port Authority, counties, cities,
19 boroughs, towns and townships, who are injured or contract
20 certain diseases in the performance of their duty; and
21 providing that absence during such injury shall not reduce
22 any usual sick leave period," providing for a presumption
23 relating to heart impairment, sickness or disease.

24 The General Assembly of the Commonwealth of Pennsylvania
25 hereby enacts as follows:

26 Section 1. The act of June 28, 1935 (P.L.477, No.193),
27 referred to as the Enforcement Officer Disability Benefits Law,
28 is amended by adding a section to read:

1 Section 2.1. (a) Whenever any member of the State Police
2 Force, policeman or fireman, within ninety days immediately
3 prior to his employment, receives a physical examination which
4 does not disclose any heart impairment, sickness or disease, it
5 shall be presumed that any subsequent heart impairment, ailment
6 or disease suffered during the person's employment is service
7 related.

8 (b) Subsection (a) shall not prevent the employer from
9 proffering other competent evidence to rebut the presumption
10 established by subsection (a).

11 Section 2. This act shall take effect in 60 days.