

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1176 Session of
1981

INTRODUCED BY DOMBROWSKI, FEE, BOWSER, CAPPABIANCA AND
A. K. HUTCHINSON, APRIL 8, 1981

REFERRED TO COMMITTEE ON JUDICIARY, APRIL 8, 1981

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, correction
8 officers employed by the Bureau of Corrections whose
9 principal duty is the care, custody and control of inmates,
10 psychiatric security aids employed by the Department of
11 Public Welfare and the Bureau of Corrections whose principal
12 duty is the care, custody, and control of the criminally
13 insane, and drug enforcement agents of the Department of
14 Justice whose principal duty is the enforcement of the drug
15 laws of the Commonwealth, members of the Delaware River Port
16 Authority Police and of policemen, firemen and park guards by
17 the Commonwealth of Pennsylvania, the Delaware River Port
18 Authority, counties, cities, boroughs, towns and townships,
19 who are injured or contract certain diseases in the
20 performance of their duty; and providing that absence during
21 such injury shall not reduce any usual sick leave period,"
22 providing for a presumption relating to heart impairment,
23 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 receives a physical within ninety
3 days immediately prior to his employment, which does not
4 disclose any heart impairment, sickness or disease, it shall be
5 presumed that any subsequent heart impairment, ailment or
6 disease suffered thereafter during such person's employment is
7 service 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.