

# SENATE APPROPRIATIONS COMMITTEE FISCAL NOTE

**BILL NO.** House Bill 797

**PRINTER'S NO.** 966

**AMOUNT**

No Fiscal Impact

**FUND**

General

**DATE INTRODUCED**

March 3, 2011

**PRIME SPONSOR**

Representative Farry

**HISTORY OF BILL**

Referred to VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, March 3, 2011

Reported as committed, April 27, 2011

First consideration, April 27, 2011

Laid on the table, April 27, 2011

Removed from table, June 15, 2011

Second consideration, June 20, 2011

Re-committed to APPROPRIATIONS, June 20, 2011

Re-reported as committed, June 21, 2011

Third consideration and final passage, June 21, 2011 (200-1)

(Remarks see House Journal Page ), June 21, 2011

In the Senate

Referred to LABOR AND INDUSTRY, June 21, 2011

Reported as committed, June 22, 2011

First consideration, June 22, 2011

Second consideration, June 23, 2011

Re-referred to APPROPRIATIONS, June 23, 2011

Re-reported as committed, June 26, 2011

# SENATE APPROPRIATIONS COMMITTEE

## FISCAL NOTE

### **DESCRIPTION AND PURPOSE OF BILL**

House Bill 797 amends the Workers' Compensation Act to include cancer as an occupational disease for firefighters when caused by a Group 1 carcinogen as identified by the International Agency for Research on Cancer. Eligibility for workers' compensation benefits is limited to firefighters who have served four or more years in continuous firefighter duties and who can establish direct exposure to a Group 1 carcinogen. Firefighters must also pass a physical examination prior to filing a claim or prior to engaging in firefighting duties. The physical examination must fail to reveal any evidence of the condition of cancer. Claims made by firefighters meeting the above criteria, and within 300 weeks after the last date of employment invoke presumption. The presumption can be rebutted by substantial competent evidence that shows the claimant's cancer was not caused by the occupation of firefighting.

Claims may be made by a firefighter pursuant to cancers caused by Group 1 carcinogens within 600 weeks after the last date of employment. However, presumption only applies to claims made within the first 300 weeks after the last date of employment.

The Department of Labor and Industry is required to submit data on the number of successful claims two years following the adoption of the act and every two years thereafter. The data must be submitted to the chairman and minority chairman of the Senate Labor & Industry Committee and the chairman and minority chairman of the House Labor Relations committee.

The provisions only apply to claims filed on or after the effective date of the bill.

The act takes effect immediately.

### **FISCAL IMPACT:**

No fiscal impact to the Commonwealth will result from the provisions in the bill. However, local government entities, trusts, municipalities, and those volunteer fire companies which are self-insured, may experience additional costs due to increased payments for benefits and the resultant potential increases in the entities' workers' compensation premiums.