

SENATE APPROPRIATIONS COMMITTEE

FISCAL NOTE

BILL NO. Senate Bill 654

PRINTER'S NO. 689

AMOUNT

No Fiscal Impact

FUND

General

DATE INTRODUCED

February 28, 2011

PRIME SPONSOR

Senator Argall

HISTORY OF BILL

Referred to LABOR AND INDUSTRY, Feb. 28, 2011

Reported as committed, April 6, 2011

First consideration, April 6, 2011

Second consideration, April 11, 2011

Re-referred to APPROPRIATIONS, April 11, 2011

Re-reported as committed, April 11, 2011

DESCRIPTION AND PURPOSE OF BILL

Senate Bill 654 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.

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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 increase in the entity's workers' compensation premiums.