

Good morning Chairman Barrar and members, thank you for the opportunity to testify.

My name is Donald Konkle. I am the Executive Director of the Pennsylvania Fire and Emergency Service Institute and the Law and Legislative Chair of the Fireman's Association of the State of Pennsylvania. I have been involved in the fire service since 1967, including 37 years as a member of the Harrisburg Bureau of Fire; 27 of those years as Chief.

First of thank you for passing Act 46 of 2011, providing firefighters with an important and necessary benefit.

Since the law has been passed there have been several studies new studies linking firefighting to both an increase in cancer and Parkinson's disease. It should be noted that Parkinson's is not a cancer and not covered by Act 46.

The largest new study linking firefighting to increased cancer was reported in October of 2013. The United States Fire Administration (USFA) and the National Institute for Occupational Health and Safety (NIOSH) conducted the study.

A summary of the study follows.

After examining mortality patterns and cancer incidence among a group of 29,993 U.S. career firefighters employed between 1950–2009 in the cities of San Francisco, Chicago and Philadelphia, the researchers found that:

- Cancers of the respiratory, digestive, and urinary systems accounted mostly for the higher rates of cancer seen in the study population. The higher rates suggest that firefighters are more likely to develop those cancers.
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- The population of firefighters in the study had a rate of mesothelioma two times greater than the rate in the U.S. population as a whole. This was the first study ever to identify an excess of mesothelioma in U.S. firefighters. The researchers said it was likely that the findings were associated with exposure to asbestos, a known cause of mesothelioma.
  
- The study analyzed cancers and cancer deaths through 2009 among 29,993 firefighters from the Chicago, Philadelphia and San Francisco fire departments who were employed since 1950.

- Firefighters can be exposed to contaminants from fires that are known or suspected to cause cancer. These contaminants include combustion by-products such as benzene and formaldehyde, and materials in debris such as asbestos from older structures.
- The findings of the new study do not address other factors that can influence risk for cancer, such as smoking, diet and alcohol consumption. In addition, few women and minorities were in the study population, limiting the ability to draw statistical conclusions about their risk for cancer.
- More cancers than expected occurred among the group.
- Cancers are definitively associated with exposures to the contaminants to which firefighters may have been exposed.

These studies show the clear need for the protection offer by Act 46.

I would like to conclude with a few additional points first, is the claim by some that Act 46 covers all cancers and there is no defense against a presumption claim. As you know this not true, there is a specific list of cancers included in the law. All of these cancers have been determined by independent research to be linked to firefighting activity. In addition, I am personally aware of several cancer claims filed by firefighters that have been denied by a worker's comp. hearing officer clearly the claims can be and have been successfully defended.

I am also aware of one firefighter the filed a cancer claim. The legal process to have the claim accepted took many months. Unfortunately, he had no health insurance and was unable to afford treatment while the claim was being contested. The cancer was not very aggressive so he was able to delay treatment until the claim was resolved: in his favor. He is now undergoing treatment and is expected to recover. I believe that as case law is developed and defines the limits of law these types of delays will be reduced or eliminated. I am concerned any change in the law will reset the clock on establishing case law.

Thank you I will be happy to take questions.