



WRITTEN TESTIMONY-January 30, 2007

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Good Afternoon Chairman Prague, Chairman Ryan and members of the Labor and Public Employees Committee. I am writing to inform you that I do not support Proposed H.B. No. 6956 Workers' Compensation Coverage for Firefighters and Police Officers. Infectious Disease Mandate.

The proposed bill would establish rebuttable presumptions allowing police officers and firefighters to receive workers' compensation benefits for certain medical conditions. My issues with this are as follows:

- *[(2) "Police officer or firefighter" means a local or state police officer, a state or local firefighter or an active member of a volunteer fire company or fire department engaged in volunteer duties who, in the course of employment runs a high risk of occupational exposure to hepatitis, meningococcal meningitis or tuberculosis.]* I do not believe it has been sufficiently medically established and documented that firefighters and police officers have a "high risk" of exposure to meningococcal meningitis, hepatitis, and tuberculosis. For example, according to the CDC, public safety workers have a low risk of infection from hepatitis C. The inclusion of all strains of hepatitis as this bill states, is an over generalization as the modes of transmission and risk of infection vary by type and subtype of hepatitis, and not all types are even present in the United States. Firefighters and police utilizing the proper engineering controls, administrative controls, and personal protective equipment can minimize their risk of exposures.
- The proposed bill does not require a causal relationship between an occupational exposure to an infectious disease incident and the acceptance of a workers' compensation claim from a police officer or firefighter who suffers a condition or impairment of health that is caused by hepatitis, meningococcal meningitis or tuberculosis that requires medical treatment, and that results in total or partial incapacity or death. Without the causal relationship, infectious

diseases which could be acquired outside of the profession of the firefighters and police officers would automatically be presumed to have been acquired while engaged in their professional activities. Some of the infectious diseases, such as hepatitis C may take twenty years to become symptomatic. It is questionable that the infectious disease was acquired during police or firefighting activities or if it may have been acquired many years prior to employment. It is difficult to pinpoint when an employee may have been exposed outside of work.

- Heart and Hypertension (H&H) claims have resulted in huge burdens to municipalities. Extending this benefit to firefighters and police officers hired on or after July 1, 1996 will result in tens of millions of dollars in liability to municipalities such as Stamford. Already we have incurred over \$27,900,000 in liability for H&H claims filed prior to July 1, 1996. If we extend this benefit it will have a devastating effect on taxpayers. The rebuttable presumption that all H&H claims are related to employment for police and firefighters does not take into consideration the role of lifestyle choices, hereditary predispositions, and genetics in H&H conditions, and makes it difficult to dispute these claims.
- *Sec. 3 (NEW) (a) Notwithstanding any provision of the general statutes, and state or local firefighter, active member of a volunteer fire company or fire department engaged in volunteer duties who is diagnosed with any type of cancer that may result from exposure to heat, radiation or a known or suspected carcinogen, as determined by the International Agency for Research on Cancer, affecting the skin, lungs, respiratory tract, or the central nervous, lymphatic, digestive, hematological, urinary, skeletal, oral, prostate system and resulting in total or partial disability or death to such firefighter shall be presumed to have sustained such cancer in the course of employment and shall be entitled to receive workers' compensation benefits pursuant to chapter 568 of the general statutes, unless the contrary is shown by a preponderance of evidence, provided: (1) The firefighter completed a physical examination on entry into such employment that failed to reveal any evidence of such cancer; (2) The firefighter was employed as a firefighter for five years or more at the time the cancer is discovered; and (3) The firefighter establishes that he or she regularly responded to the scene of fires or fire investigations during some portion of his or her employment as a firefighter. (b) If an individual no longer employed as a firefighter first discovers such cancer not later than five years after the last date he or she was employed as a firefighter, benefits payable under chapter 568 shall be payable as of the date on which the firefighter last received regular compensation as a firefighter.*
- This once again places undue burden on taxpayers and municipalities. Firefighters are provided with personal protective equipment and training to minimize their exposure to smoke and possible carcinogens. The proposed new section is over generalized and allows any firefighter, whether or not they were exposed to known carcinogens, to receive benefits due to virtually any type of cancer. Once again, it does not take into consideration the role of lifestyle choices, hereditary predispositions, genetics, and other exposures outside their profession in the development of any cancer, which makes it difficult to dispute these claims.

- By allowing individuals no longer employed as firefighters who discover cancer up to five years after their last date of employment as a firefighter the same benefits as listed above, it just extends the problem and risk of liability exposure to municipalities and taxpayers.

In summary, I do not support Proposed H.B. No. 6956 Workers' Compensation Coverage for Firefighters and Police Officers. As written, I believe the effect will place an enormous burden on municipalities and taxpayers.