



House of Representatives

File No. 585

General Assembly

February Session, 2010 **(Reprint of File No. 147)**

Substitute House Bill No. 5282
As Amended by House
Amendment Schedule "A"

Approved by the Legislative Commissioner
April 16, 2010

**AN ACT CONCERNING FIREFIGHTERS, POLICE OFFICERS AND
WORKERS' COMPENSATION CLAIMS PERTAINING TO CERTAIN
DISEASES.**

Be it enacted by the Senate and House of Representatives in General
Assembly convened:

1 Section 1. (NEW) (*Effective October 1, 2010*) For the purpose of
2 adjudication of claims for payment of benefits under the provisions of
3 chapter 568 of the general statutes, a uniformed member of a paid
4 municipal or volunteer fire department, a regular member of a paid
5 municipal police department or constable, as defined in section 31-294i
6 of the general statutes or a member of a volunteer ambulance service
7 shall be eligible for such benefits for any disease arising out of and in
8 the course of employment, including, but not limited to, hepatitis,
9 meningococcal meningitis, tuberculosis, Kahler's Disease, non-
10 Hodgkin's lymphoma, and prostate or testicular cancer that results in
11 death or temporary or permanent total or partial disability.

This act shall take effect as follows and shall amend the following sections:		
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Section 1	<i>October 1, 2010</i>	New section
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The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact: None

Municipal Impact: None

Explanation

The bill will result in no fiscal impact. Under current law, any disease or injury that is shown to arise out of and in the course of an employee's job makes an employee eligible for workers' compensation benefits.

House "A" replaces the underlying bill and results in no fiscal impact.

The Out Years

State Impact: None

Municipal Impact: None

OLR Bill Analysis**sHB 5282 (as amended by House "A")******AN ACT CONCERNING FIREFIGHTERS, POLICE OFFICERS AND WORKERS' COMPENSATION CLAIMS PERTAINING TO CERTAIN DISEASES.*****SUMMARY:**

Under this bill, a paid municipal or volunteer firefighter, municipal police officer, constable, or volunteer ambulance service member is eligible for workers compensation benefits for diseases, including the following, if they arise out of and are in the course of employment: (1) hepatitis, (2) meningococcal meningitis, (3) tuberculosis, (4) Kahler's Disease (multiple myeloma), (5) non-Hodgkin's lymphoma, (6) prostate cancer, or (7) testicular cancer. As with all workers' compensation claims, the disease must result in death or temporary or permanent total or partial disability in order to be eligible for benefits. A constable is a municipal law enforcement officer who is authorized to make arrests and has completed the Police Officer Standards and Training Council's certified training.

The bill's legal effect is unclear because under current law any disease or injury that is shown to arise out of and in the course of an employee's job makes the employee eligible for workers' compensation benefits.

*House Amendment "A" adds volunteer ambulance service members to the list of named occupations and changes multiple myeloma to Kahler's Disease, which is another name for this cancer that affects blood cells and bone marrow.

EFFECTIVE DATE: October 1, 2010

BACKGROUND***Arising Out of and In the Course of Employment***

By law, "arising out of and in the course of employment" means an accidental injury or an occupational disease originating while an employee was engaged in the line of duty in the business or affairs of the employer on the employer's premises, or while engaged elsewhere in the employer's business or affairs by the employer's direction, express or implied. For a police officer or firefighter, it includes the period travelling from the employee's place of abode (i.e., home) to work, time at work, and departure from work until arrival home (CGS § 31-275 (1)).

COMMITTEE ACTION

Labor and Public Employees Committee

Joint Favorable Substitute

Yea 10 Nay 1 (03/16/2010)