



Senate

General Assembly

File No. 189

January Session, 2013

Senate Bill No. 925

Senate, March 27, 2013

The Committee on Labor and Public Employees reported through SEN. OSTEN of the 19th Dist., Chairperson of the Committee on the part of the Senate, that the bill ought to pass.

AN ACT CONCERNING WORKERS' COMPENSATION COVERAGE FOR FIREFIGHTERS AND POLICE OFFICERS.

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

1 Section 1. Section 31-294i of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2013*):

3 For the purpose of adjudication of claims for payment of benefits
4 under the provisions of this chapter to a uniformed member of a paid
5 municipal fire department or a regular member of a paid municipal
6 police department or constable who began such employment on or
7 after July 1, 1996, any condition or impairment of health caused by a
8 cardiac emergency occurring to such member on or after July 1, 2009,
9 while such member is in training for or engaged in fire duty at the site
10 of an accident or fire, or other public safety operation within the scope
11 of such member's employment for such member's municipal employer,
12 or up to seventy-two hours after completion of such training or duty,
13 that results in death or temporary or permanent total or partial
14 disability, shall be presumed to have been suffered in the line of duty

15 and within the scope of such member's employment, unless the
16 contrary is shown by a preponderance of the evidence, provided such
17 member successfully passed a physical examination on entry into
18 service conducted by a licensed physician designated by such
19 department which examination failed to reveal any evidence of such
20 condition. For the purposes of this section, "cardiac emergency" means
21 cardiac arrest or myocardial infarction, and "constable" means any
22 municipal law enforcement officer who is authorized to make arrests
23 and has completed Police Officer Standards and Training Council
24 certification pursuant to section 7-294a.

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>October 1, 2013</i>	31-294i
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LAB *Joint Favorable*

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:

Municipalities	Effect	FY 14 \$	FY 15 \$
All Municipalities	STATE MANDATE - Cost	Up to \$1 million/ Per Claim	Up to \$1 million/ Per Claim

Explanation

The bill may result in a cost to municipalities as it is anticipated the bill will increase the number of claims filed under 7-433c.¹ To the extent that filing a claim under 7-433c increases the likelihood of an award there will be a cost to municipalities. The cost may be significant as a single cardiac emergency may be as high as \$1 million over the life of the claim. The bill would apply to at least 2,500 municipal firefighters and police officers hired after July 1, 1996 and all future hires.

The bill creates the presumption that a cardiac emergency occurring to a paid municipal firefighter or police officer within 72 hours after the firefighter or officer completes the training or fire duty, is compensable under workers' compensation.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation.

¹ There were 31 heart and hypertension claims filed in 2005 by municipal police and firefighters hired before July 1, 1996.

OLR Bill Analysis**SB 925*****AN ACT CONCERNING WORKERS' COMPENSATION COVERAGE FOR FIREFIGHTERS AND POLICE OFFICERS.*****SUMMARY:**

Current law presumes a paid municipal firefighter or police officer's cardiac emergency (a cardiac arrest or myocardial infarction) to be a job-related injury for workers' compensation purposes if it occurs while on fire duty (1) training, (2) at the site of an accident or fire, or (3) at a public safety operation. This bill extends the presumption to cover cardiac emergencies that occur up to 72 hours after the firefighter or officer completes the training or fire duty.

Under existing law, unchanged by the bill, (1) the firefighter or police officer must have previously passed a physical that revealed no evidence of a cardiac emergency and (2) the presumption can be overcome if a preponderance of evidence shows that firefighting or police work did not cause the cardiac emergency (i.e., evidence that the cardiac emergency was not job related outweighs any other evidence).

EFFECTIVE DATE: October 1, 2013

COMMITTEE ACTION

Labor and Public Employees Committee

Joint Favorable

Yea 7 Nay 4 (03/13/2013)