



General Assembly

Amendment

January Session, 2015

LCO No. 8069



Offered by:
SEN. KANE, 32nd Dist.

To: Subst. Senate Bill No. 593

File No. 293

Cal. No. 226

(As Amended)

**"AN ACT CONCERNING SEVERE MENTAL AND EMOTIONAL
IMPAIRMENT AND WORKERS' COMPENSATION COVERAGE."**

1 Strike section 2 in its entirety and substitute the following in lieu
2 thereof:

3 "Sec. 2. Section 31-294j of the general statutes is repealed and the
4 following is substituted in lieu thereof (*Effective October 1, 2015*):

5 (a) For the purpose of adjudication of claims for payment of benefits
6 under the provisions of this chapter, a uniformed member of a paid
7 municipal or volunteer fire department, a regular member of a paid
8 municipal police department, a constable, as defined in section 31-294i,
9 or a member of a volunteer ambulance service shall be eligible for such
10 benefits for any disease arising out of and in the course of
11 employment, including, but not limited to, hepatitis, meningococcal
12 meningitis, tuberculosis, Kahler's Disease, non-Hodgkin's lymphoma,
13 and prostate or testicular cancer that results in death or temporary or

14 permanent total or partial disability.

15 (b) (1) Notwithstanding any provisions of the general statutes, for
16 the purpose of adjudication of claims for payment of benefits under
17 the provisions of this chapter, an actively serving uniformed member
18 of a paid fire department, an actively serving certified interior
19 firefighter belonging to a volunteer fire department or an actively
20 serving uniformed member of the Department of Emergency Services
21 and Public Protection Fire and Explosion Unit assigned to investigate
22 arson, shall be eligible for such benefits for the following types of
23 cancers arising out of and in the course of employment: Kahler's
24 Disease, non-Hodgkin's lymphoma, or any condition of cancer
25 affecting the brain, skin, digestive system, endocrine system,
26 respiratory system, lymphatic system, reproductive system, urinary
27 system or hematological system that results in death or temporary or
28 permanent total or partial disability. Such cancer shall be presumed to
29 have been suffered in the line of duty as a result of the inhalation,
30 absorption or ingestion of noxious fumes or poisonous gases, unless
31 the contrary be shown by a preponderance of the evidence, provided
32 (A) such uniformed member of a paid fire department, certified
33 interior firefighter belonging to a volunteer fire department or
34 uniformed member of the Department of Emergency Services and
35 Public Protection Fire and Explosion Unit assigned to investigate arson
36 successfully passed a physical examination upon entry into such
37 service, or subsequent to entry, as the case may be, that failed to reveal
38 any evidence of such cancer, (B) (i) such uniformed member has
39 worked for not less than five years at a paid fire department or the
40 Department of Emergency Services and Public Protection Fire and
41 Explosion Unit assigned to investigate arson, or (ii) such certified
42 interior firefighter belonging to a volunteer fire department has
43 worked for not less than fifteen years at such fire department, at the
44 time such cancer is discovered, or should have been discovered, and
45 (C) such cancer is one that is known to result from exposure to heat,
46 radiation or a known or suspected carcinogen as determined by the
47 International Agency for Research on Cancer or the National

48 Toxicology Program of the United States Department of Health and
49 Human Services.

50 (2) Any uniformed member of a paid fire department, certified
51 interior firefighter belonging to a volunteer fire department or
52 uniformed member of the Department of Emergency Services and
53 Public Protection Fire and Explosion Unit assigned to investigate arson
54 or individual applying for benefits pursuant to subdivision (1) or (2) of
55 this subsection shall be required to submit to annual physical
56 examinations as a condition of receiving such benefits, the results of
57 which shall be reported to such paid fire department, volunteer fire
58 department or the Department of Emergency Services and Public
59 Protection Fire and Explosion Unit.

60 (3) No uniformed member of a paid fire department, certified
61 interior firefighter belonging to a volunteer fire department or
62 uniformed member of the Department of Emergency Services and
63 Public Protection Fire and Explosion Unit assigned to investigate arson
64 shall be eligible for such benefits pursuant to the provisions of
65 subdivision (1) of this subsection if it is proven that such uniformed
66 member or certified interior firefighter has smoked any cigarettes, as
67 defined in section 12-285, or otherwise used any tobacco products, as
68 defined in section 12-330a, that are found to have caused such
69 incapacity."