



General Assembly

Raised Bill No. 5262

February Session, 2016

LCO No. 1219



Referred to Committee on LABOR AND PUBLIC
EMPLOYEES

Introduced by:
(LAB)

**AN ACT CONCERNING WORKERS' COMPENSATION COVERAGE
FOR CURRENT AND FORMER UNIFORMED MEMBERS OF PAID OR
VOLUNTEER FIRE DEPARTMENTS.**

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

1 Section 1. Section 31-294j of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2016*):

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

13 (b) (1) Notwithstanding any provisions of subsection (a) of this

14 section, for the purpose of adjudication of claims for payment of
15 benefits under the provisions of this chapter, a uniformed member of a
16 paid or volunteer fire department shall be eligible for such benefits for
17 the following types of cancers arising out of and in the course of
18 employment: Kahler's Disease, non-Hodgkin's lymphoma, or any
19 condition of cancer affecting the brain, skin, skeletal system, digestive
20 system, endocrine system, respiratory system, lymphatic system,
21 reproductive system, urinary system or hematological system that
22 results in death, or temporary or permanent total or partial disability.
23 Such cancer shall be presumed to have been suffered in the line of duty
24 as a result of the inhalation, absorption or ingestion of noxious fumes
25 or poisonous gases, unless the contrary be shown by a preponderance
26 of the evidence, provided (A) such uniformed member successfully
27 passed a physical examination upon entry into such service, or
28 subsequent to entry, as the case may be, that failed to reveal any
29 evidence of such cancer, (B) such uniformed member has worked for
30 not less than five years at a fire department at the time such cancer is
31 discovered, or should have been discovered, and (C) such cancer is one
32 that is known to result from exposure to heat, radiation or a known
33 carcinogen as determined by the International Agency for Research on
34 Cancer or the National Toxicology Program of the United States
35 Department of Health and Human Services.

36 (2) Any individual, who is no longer actively serving as a uniformed
37 member of a paid or volunteer fire department but who otherwise
38 would be eligible for such benefits pursuant to the provisions of
39 subdivision (1) of this subsection, may apply for such benefits not
40 more than five years from the date such individual last served with
41 such paid or volunteer fire department.

42 (3) Any uniformed member of a paid or volunteer fire department
43 or individual applying for benefits pursuant to subdivision (1) or (2) of
44 this subsection may be required to submit to annual physical
45 examinations as a condition of receiving such benefits.

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

Section 1	<i>October 1, 2016</i>	31-294j
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LAB *Joint Favorable*