



February 18, 2021

RE: **SB 141 - An Act Concerning Workers' Compensation Coverage for Current and Former Members of Paid Municipal or Volunteer Fire Departments**

Dear Members of the Labor and Public Employees Committee:

I serve as General Counsel for the Insurance Association of Connecticut ("IAC"), a state-based trade association for Connecticut's insurance industry. Thank you for the opportunity to offer comment in opposition to **SB 141 - An Act Concerning Workers' Compensation Coverage for Current and Former Members of Paid Municipal or Volunteer Fire Departments**.

The IAC recognizes the significant contribution that firefighters make to the community and are highly sympathetic to their cause; however, we caution this committee on expanding coverage to include a rebuttable presumption because it will cause claims unrelated to work to be accepted as work-related and undermine the intent of the Workers' Compensation Act ("Act").

It is important to note that firefighters who have been diagnosed with cancer are entitled to benefits under current law. Firefighters are entitled to workers' compensation benefits under the Act when they are able to demonstrate that their illness arose out of and in the course of their employment. When similar criteria to that proposed in SB 141 is met, firefighters are also eligible for wage replacement benefits from the Cancer Relief Fund under P.A. 16-10, which passed unanimously in 2016. As such, SB 141 is unnecessary.

SB 141 is problematic because it would cause employers and insurers to be liable for indemnity and medical benefits throughout the claimant's lifetime, without the claimant having to prove their illness was related to their employment. This is contrary to long-standing public policy that requires there be a causal connection.

The proposed presumption would apply regardless of the work the firefighter engaged in prior to, during, or subsequent to their work as a firefighter. Firefighters would be entitled to the presumption, despite family history, predispositions to cancer and other contributing factors. Cancer will also be presumed to be work-related, regardless of when the diagnosis is made. The proposed presumption is so broad that, on a prospective basis, it would allow someone who

served as a firefighter decades in the past for a minimum of five years, to recover workers' compensation benefits (including medical coverage) if many decades after leaving the firefighting profession, they contract cancer.

It is irresponsible to presume that every firefighter who meets the criteria in SB 141, necessarily contracted cancer from work. According to the National Cancer Institute, approximately 39.5% of men and women will be diagnosed with cancer at some point during their lifetimes.<sup>1</sup> By 2040, the number of new cancer cases per year worldwide is expected to rise to 29.5 million and the number of cancer-related deaths to 16.4 million.

As such, this bill would likely have significant long-term effects for those entities responsible for firefighters' workers' compensation coverage.

Thank you for the opportunity to offer comment on SB 141.

Joy Avallone  
General Counsel  
Insurance Association of Connecticut

---

<sup>1</sup> <https://www.cancer.gov/about-cancer/understanding/statistics>