



Substitute Senate Bill No. 313

Public Act No. 22-139

AN ACT CONCERNING ADOPTION OF THE RECOMMENDATIONS OF THE TASK FORCE TO STUDY CANCER RELIEF BENEFITS FOR FIREFIGHTERS.

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

Section 1. (NEW) (*Effective from passage*) (a) The Joint Counsel of Connecticut Fire Services Organization, in consultation with the Connecticut State Firefighters Association, must come up with a joint plan for maintenance and remediation of toxic substances on turnout gear. Such plan shall be submitted to the Commission of Fire Prevention and Control by July 1, 2023. Upon approval of such plan, the commission shall advise fire departments on implementation of the plan.

(b) Within ninety days of approval by the commission, each fire department shall adopt a plan for the maintenance and remediation of toxic substances on turnout gear.

Sec. 2. (NEW) (*Effective from passage*) The Workers' Compensation Commission shall maintain a record of all workers' compensation claims made by firefighters due to a cancer diagnosis. Not later than January first of each year, the Workers' Compensation Commission shall submit a report summarizing such records to the joint standing

Substitute Senate Bill No. 313

committee of the General Assembly having cognizance of matters relating to labor.

Sec. 3. Section 7-313i of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) There is established a firefighters cancer relief subcommittee of the Connecticut State Firefighters Association that shall consist of one member from the Connecticut State Firefighters Association, one member from the Connecticut Fire Chiefs Association, one member from the Uniformed Professional Firefighters of the International Association of Firefighters, one member from the Connecticut Fire Marshals Association, and one member from the Connecticut Conference of Municipalities. Such subcommittee shall review claims for wage replacement benefits submitted to the firefighters cancer relief program established pursuant to section 7-313j and provide wage replacement benefits, in accordance with the provisions of subsection (b) of section 3-123, to any firefighter who the subcommittee determines is eligible for such wage replacement benefits pursuant to the provisions of section 7-313j. The subcommittee may determine the weekly wage replacement benefits provided to a firefighter in accordance with the provisions of this chapter and chapter 568.

(b) A firefighter who is approved for wage replacement benefits by the subcommittee pursuant to subsection (a) of this section shall be eligible for such benefits on and after July 1, 2019, and for a period determined by the subcommittee, provided such period shall not exceed twenty-four months. The maximum weekly wage replacement benefit under this section shall be determined by the subcommittee, provided such maximum weekly wage replacement benefit shall not exceed one hundred per cent, raised to the next even dollar, of the average weekly earnings of all workers in the state for the year in which the condition of cancer was diagnosed. The average weekly earnings of all workers in the state shall be determined by the Labor Commissioner on or before

Substitute Senate Bill No. 313

the fifteenth day of August of each year, to be effective the following October first, and shall be the average of all workers' weekly earnings for the year ending the previous June thirtieth and shall be so determined in accordance with the standards for the determination of average weekly earnings of all workers established by the United States Department of Labor, Bureau of Labor Statistics.

(c) A firefighter may receive wage replacement benefits under this section concurrently with any employer-provided employment benefits, provided the total compensation of such firefighter during such period of receiving benefits under this section shall not exceed such firefighter's pay rate at the time such firefighter was diagnosed with a condition of cancer described in section 7-313j.

(d) No firefighter shall receive compensation under this section concurrently with the provisions of chapter 567 or 568 or any other municipal, state or federal program that provides wage replacement benefits.

(e) No approval of wage replacement benefits for a firefighter by the subcommittee pursuant to subsection (a) of this section shall be used as evidence, proof or an acknowledgment of liability or causation in any proceeding under chapter 568.

(f) No approval of wage replacement benefits for a firefighter by the subcommittee pursuant to subsection (a) of this section shall create a presumption that the firefighter's cancer was work related for purposes of chapter 568. Nothing in this section shall be construed to diminish or affect in any manner a firefighter's rights and benefits or any rights and defenses that an employer may have under chapter 568.

[(f)] (g) Notwithstanding any other provision of the general statutes, any employer who provides accident and health insurance or life insurance coverage for a firefighter or makes payments or contributions

Substitute Senate Bill No. 313

at the regular hourly or weekly rate for the firefighter to an employee welfare plan, shall provide to the firefighter equivalent insurance coverage or welfare plan payments or contributions while the firefighter is eligible to receive or is receiving wage replacement compensation under this section. As used in this section, "employee welfare plan" means any plan established or maintained for such firefighter or such firefighter's family or dependents, or for both, for medical, surgical or hospital care benefits.

[(g)] (h) The State Treasurer shall remit wage replacement benefits that are approved by the subcommittee from the firefighters cancer relief account established pursuant to section 7-313h not later than thirty days after such benefits have been approved.

Sec. 4. (*Effective from passage*) The Comptroller shall conduct a study to assess the feasibility of providing pension benefits in circumstances when a firefighter's pension maturity or number of years of service required for the firefighter to receive pension benefits is not met because of an early retirement due to a qualifying work-related cancer or death. Such study shall include an examination of the feasibility of implementing a prorated benefit for such instances. The Comptroller shall report the results of such study and any recommended legislation to the joint standing committee of the General Assembly having cognizance of matters relating to labor.

Sec. 5. (NEW) (*Effective January 1, 2024*) (a) Each municipality within the state shall annually contribute, not later than December fifteenth of each year, ten dollars per firefighter within such municipality's district to the firefighters cancer relief account established pursuant to section 7-313h of the general statutes.

(b) Municipality contributions shall be based on the current number of career and volunteer firefighters within the municipality at the time of contribution.

Substitute Senate Bill No. 313

(c) Municipalities shall only contribute funds for firefighters that: (1) Have submitted to annual physical examinations subsequent to entry into such service that have failed to reveal any evidence of such cancer or a propensity for such cancer; (2) have not used any cigarettes, as defined in section 12-285 of the general statutes, or any other tobacco products, as defined in section 12-330a of the general statutes, within fifteen years; (3) have worked for not less than five years as (A) an interior structural firefighter at a paid municipal, state or volunteer fire department, or (B) a local fire marshal, deputy fire marshal, fire investigator, fire inspector or such other class of inspector or investigator for whom the State Fire Marshal and the Codes and Standards Committee, acting jointly, have adopted minimum standards of qualification pursuant to section 29-298 of the general statutes.

Approved May 27, 2022