



General Assembly

Amendment

February Session, 2022

LCO No. 6076



Offered by:
SEN. KUSHNER, 24th Dist.

To: Subst. Senate Bill No. 313

File No. 367

Cal. No. 266

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

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- 1 Change the effective date of section 1 to "Effective July 1, 2023"
- 2 In line 3, strike "Fire Chiefs" and insert in lieu thereof "Fire Fighters"
- 3 Strike section 2 in its entirety and renumber the remaining sections
4 and internal references accordingly
- 5 Strike section 4 in its entirety and insert the following in lieu thereof:
- 6 "Sec. 4. Section 7-313i of the general statutes is repealed and the
7 following is substituted in lieu thereof (*Effective from passage*):
- 8 (a) There is established a firefighters cancer relief subcommittee of
9 the Connecticut State Firefighters Association that shall consist of one
10 member from the Connecticut State Firefighters Association, one
11 member from the Connecticut Fire Chiefs Association, one member
12 from the Uniformed Professional Firefighters of the International

13 Association of Firefighters, one member from the Connecticut Fire
14 Marshals Association, and one member from the Connecticut
15 Conference of Municipalities. Such subcommittee shall review claims
16 for wage replacement benefits submitted to the firefighters cancer relief
17 program established pursuant to section 7-313j and provide wage
18 replacement benefits, in accordance with the provisions of subsection
19 (b) of section 3-123, to any firefighter who the subcommittee determines
20 is eligible for such wage replacement benefits pursuant to the provisions
21 of section 7-313j. The subcommittee may determine the weekly wage
22 replacement benefits provided to a firefighter in accordance with the
23 provisions of this chapter and chapter 568.

24 (b) A firefighter who is approved for wage replacement benefits by
25 the subcommittee pursuant to subsection (a) of this section shall be
26 eligible for such benefits on and after July 1, 2019, and for a period
27 determined by the subcommittee, provided such period shall not exceed
28 twenty-four months. The maximum weekly wage replacement benefit
29 under this section shall be determined by the subcommittee, provided
30 such maximum weekly wage replacement benefit shall not exceed one
31 hundred per cent, raised to the next even dollar, of the average weekly
32 earnings of all workers in the state for the year in which the condition
33 of cancer was diagnosed. The average weekly earnings of all workers in
34 the state shall be determined by the Labor Commissioner on or before
35 the fifteenth day of August of each year, to be effective the following
36 October first, and shall be the average of all workers' weekly earnings
37 for the year ending the previous June thirtieth and shall be so
38 determined in accordance with the standards for the determination of
39 average weekly earnings of all workers established by the United States
40 Department of Labor, Bureau of Labor Statistics.

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

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

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

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

61 ~~[(f)]~~ (g) Notwithstanding any other provision of the general statutes,
62 any employer who provides accident and health insurance or life
63 insurance coverage for a firefighter or makes payments or contributions
64 at the regular hourly or weekly rate for the firefighter to an employee
65 welfare plan, shall provide to the firefighter equivalent insurance
66 coverage or welfare plan payments or contributions while the firefighter
67 is eligible to receive or is receiving wage replacement compensation
68 under this section. As used in this section, "employee welfare plan"
69 means any plan established or maintained for such firefighter or such
70 firefighter's family or dependents, or for both, for medical, surgical or
71 hospital care benefits.

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

76 Strike sections 5 and 7 to 10, inclusive, in their entirety and renumber
77 the remaining sections and internal references accordingly

78 After the last section, add the following and renumber sections and
79 internal references accordingly:

80 "Sec. 501. (NEW) (*Effective July 1, 2023*) (a) Each municipality within
81 the state shall annually contribute, not later than December fifteenth of
82 each year, (1) ten dollars per career firefighter within such
83 municipality's district, and (2) five dollars per volunteer firefighter
84 within such municipality's district to the firefighters cancer relief
85 account established pursuant to section 7-313h of the general statutes.

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

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

This act shall take effect as follows and shall amend the following sections:		
Sec. 4	<i>from passage</i>	7-313i
Sec. 501	<i>July 1, 2023</i>	New section