
OLR Bill Analysis

sSB 1426

AN ACT MAKING CHANGES TO THE FIREFIGHTERS CANCER RELIEF PROGRAM.

SUMMARY

This bill makes various changes to a program that provides workers' compensation-like benefits to firefighters who have certain cancers and meet other criteria. Generally, the program requires an eligible firefighter's employer to pay the benefits and then be reimbursed from the state's firefighters cancer relief account.

Among other things, the bill:

1. expands the types of cancers covered by the program to include skin cancer and makes changes to other eligibility criteria;
2. makes changes to clarify the process for state-employed firefighters to apply for program benefits;
3. requires the program's benefits to be provided in the same way they would be if the firefighter's cancer had been caused by an occupational disease, rather than a personal injury, under the workers' compensation law;
4. authorizes workers' compensation administrative law judges (ALJs) to adjudicate a firefighter's appeal of a denial of benefits from the program; and
5. makes various minor, technical, and conforming changes.

EFFECTIVE DATE: October 1, 2025

SKIN CANCER AND OTHER ELIGIBILITY CRITERIA

By law, firefighters may qualify for the program's benefits if they, among other things, (1) are diagnosed with certain types of cancer, (2)

had a physical examination after joining the service, and (3) were employed in certain firefighting positions for at least five years.

The bill expands the types of cancers covered by the program to include skin cancer. Other types of cancer already covered by the program include those affecting the brain or the skeletal, digestive, endocrine, respiratory, lymphatic, reproductive, urinary, or hematological systems. As under existing law, for the person to qualify, the cancer must result in death or temporary or permanent total or partial disability.

For the physical exam requirement, the bill removes a provision that requires a firefighter to have had a physical examination that failed to reveal a propensity for cancer in order to qualify for benefits. As under current law, the exam still must have failed to reveal any evidence of the cancer.

Under current law, a firefighter must have been employed for at least five years in certain firefighting positions (e.g., interior structural firefighter, fire marshal, fire inspector). The bill specifies that this qualifying employment time can include any combination of employment in those positions.

STATE-EMPLOYED FIREFIGHTERS

The law generally allows a state-employed firefighter to qualify for benefits from the program. Current law, however, requires (1) a firefighter to apply for the benefits by notifying the municipality where he or she is employed and (2) that municipality to administer the claim and provides the benefits. The bill instead requires the firefighter to notify his or her municipal or state employer, and that employer to administer the claim and benefits.

Under existing law, a “municipal employer” is any political subdivision of the state, including any town, city, borough, district, district health department, school board, housing authority, or other authority established by law; a private nonprofit corporation with a valid contract with any town, city, borough, or district to extinguish fires

and to protect its inhabitants from loss by fire; and any person or persons designated by the municipal employer to act in its interest in dealing with municipal employees. Under the bill, a “state employer” is Connecticut, including any state agency or department, and any board of trustees of a state-owned or supported college or university and its branches.

The bill also makes related conforming changes.

OCCUPATIONAL DISEASE

Under current law, eligible firefighters must receive the program’s benefits in the same amount and in the same way that they would have been provided under the workers’ compensation law if their death or disability had been caused by a personal injury that arose out of and in the course of their employment. The bill instead requires the death or disability to be treated as if it had been caused by an occupational disease, rather than a personal injury. Generally, under workers’ compensation law, an occupational disease includes any disease peculiar to the employee’s occupation and due to causes that exceed ordinary hazards of employment (CGS § 31-275). Procedurally, the workers’ compensation law allows claimants to apply for benefits within three years after the first manifestation of an occupational disease’s symptom, rather than within one year after a personal injury (CGS § 31-294c).

The bill similarly requires the retirement or survivor benefits, or disability benefits, an eligible firefighter must receive under the program to be treated as if the death or disability had been caused by an occupational disease, rather than a personal injury.

WORKERS’ COMPENSATION ALJ APPEALS

Current law allows a firefighter to request that a denial of compensation or benefits from the program be reconsidered in the same way as workers’ compensation claims. The bill explicitly authorizes workers’ compensation ALJs to adjudicate these appeals and extends their statutory powers and duties to cover these cases. Among other things, this (1) authorizes them to summon and examine witnesses

under oath; (2) generally requires the appeal to be filed in the ALJ district where the claim arises; and (3) allows the Superior Court, under certain conditions, to enforce an ALJ's order.

OTHER CHANGES

Under current law, the firefighters' cancer relief account must reimburse any costs for an eligible firefighter's cancer treatments not covered by his or her personal or group health insurance. The bill narrows this requirement to apply only if the treatments comply with the workers' compensation law that generally requires employers to provide reasonable or necessary medical care for injured employees.

Under current law, if a firefighter who was receiving compensation (the workers' compensation-like benefits) from the program dies from cancer, his or her survivors may file a workers' compensation claim within one year after the firefighter's death. Until the claim is approved, the survivors must continue receiving benefits from the firefighters cancer relief account. If they do not file a workers' compensation claim before the one-year deadline they may continue to receive benefits from the account.

The bill (1) limits this option to the firefighter's surviving dependents and (2) also allows it when the firefighter (a) was receiving other benefits under the program (retirement or disability benefits) or (b) had applied for compensation or benefits, but was not yet receiving them.

COMMITTEE ACTION

Labor and Public Employees Committee

Joint Favorable

Yea 12 Nay 1 (03/06/2025)