

RESOLUTION NUMBER 11-01

**RESOLUTION IN SUPPORT OF EXTENDING THE PRESUMPTION OF COVERAGE
FOR DISABILITY FROM DISEASES FOR CERTAIN FIRE FIGHTERS
UNDER THE ALASKA WORKERS' COMPENSATION ACT**

WHEREAS, the Alaska Workers' Compensation Board is a public organization accountable through its members and staff to the residents, the Legislature, and the Governor of Alaska;

WHEREAS, the Alaska Workers' Compensation Board acts as the lead state agency for adjudicating disputes under the Alaska Workers' Compensation Act, to ensure quick, efficient, fair and predictable provision of benefits to injured workers at a reasonable cost to employers;

WHEREAS, the presumption of coverage for disability from diseases for certain fire fighters under AS 23.30.121 only applies to fire fighters who were given a qualifying medical examination upon becoming a fire fighter and an annual medical exam during each of the first seven years of employment;

WHEREAS, the regulations adopted by the Alaska Workers' Compensation Board defining the type and extent of the qualifying medical examination do not apply to individuals already in active service as fire fighters;

NOW THEREFORE BE IT RESOLVED that the Alaska Workers' Compensation Board supports an amendment to AS 23.30.121 to allow any fire fighter who entered active service as a firefighter prior to the effective date of AS 23.30.121 entitlement to the presumption of compensability of that section if during the years prior to enactment of AS 23.30.121 the fire fighter received all medical examinations provided by the department for which they were employed and those examinations did not show evidence of the diseases in any of the first seven years of employment.

CERTIFICATION

The Alaska Workers' Compensation Board held a meeting duly and regularly called, noticed, and convened the 12th day of January, 2010, and the foregoing Resolution was adopted at the meeting.

Signed this 13th day of January, 2010

Michael P. Monagle, Chair
Alaska Workers' Compensation Board