

Senate Bill 131

WORKERS' COMPENSATION DISABILITY FOR FIREFIGHTERS



SB 131



Firefighting is an inherently dangerous job.

It is important that workers compensation insurance provides coverage for the inherent risks in that job.

Currently, there is an oversight in Alaska Statutes regarding that coverage: Breast Cancer.

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SB 131 would add breast cancer to the list of presumed disability coverages for firefighters, so long as the firefighter could establish that the breast cancer was caused by their work as a firefighter.



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Firefighters At Risk



Instances of cancer in firefighters is shown to be higher than the general population.

Studies that have evaluated cancer risk among women firefighters suggest women firefighters, like their male coworkers, may be at an elevated risk for overall cancer incidence (Daniels et al, 2014).

These studies also suggest women firefighters may be at an elevated incidence of risk for breast cancer (Daniels et al, 2014).



General Statistics



In the general population, less than one percent of males are likely to develop breast cancer in their lifetime.

Studies have found strong associations between firefighting and male breast cancer (Ma et al, 2005).

Male firefighters are 7.5 times more likely to die from breast cancer than their non-Fire Service counterparts. (Ma et al, 2005)

The same mechanism that would cause increases in breast cancer in men is thought to result in proportional increases in risk among women.

General Statistics



In the general population, one in eight women (12 %) will likely contract breast cancer in their lifetime.

At only about four percent of the firefighter population, small sample sizes make it difficult to draw conclusions about females and breast cancer in the Fire Service.

This bill protects not only women, because exposure to carcinogenic chemicals, which often occurs in the normal course of a firefighter's job, does not discriminate based on sex or gender.

Presumptive Laws



Presumptive laws are regulations that assume a given disease is linked, by default, to a specific occupation.

This means that when someone is **diagnosed** with an illness covered under a presumptive law, they are **automatically** entitled to disability or workers' compensation, medical expense coverage, and medical leave, **provided** they meet certain criteria.

Presumptive Laws



Without presumptive laws, to get these benefits, firefighters and other workers may have to prove that their line of work caused their disease.

This process can be lengthy and expensive at a time when resources should be dedicated toward treatment, wellness, and, sometimes, end-of-life decisions.

Alaska Statute 23.30.121



Breast Cancer would join the existing list, including:

1. Respiratory Disease
2. Cardiovascular Events (Limited)
3. Primary Brain Cancer
4. Malignant Melanoma
5. Non-Hodgkin's Lymphoma
6. Bladder Cancer
7. Ureter Cancer
8. Kidney Cancer
9. Prostate Cancer

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What are those criteria?

Alaska Statute 23.30.121



Once added to the list, several standard limitations would apply.
The firefighter must:

1. Have been a firefighter for at least seven years,
2. Have had initial and annual medical exams showing no evidence of disease,
3. Be able to demonstrate exposure to a known carcinogen while in the Fire Service,
4. At a minimum, be certified as a Firefighter I.

Alaska Statute 23.30.121



Other qualifying criteria would apply, including:

1. Coverage may be denied based on:
 - a. Use of tobacco products,
 - b. Physical fitness and weight,
 - c. Lifestyle decisions,
 - d. Hereditary factors, and
 - e. Exposure from other employment/non-employment activities.
2. Some post-employment coverage is available,
 - a. Three months accrued for every year of service,
 - b. Five year maximum.

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Fourteen states include breast cancer in presumptive laws:

- | | | |
|-------------|----------------|---------------|
| 1. Arizona | 6. Maine | 11. New York |
| 2. Arkansas | 7. Maryland | 12. Oregon |
| 3. Colorado | 8. Missouri | 13. Virginia |
| 4. Idaho | 9. Montana | 14. Wisconsin |
| 5. Iowa | 10. New Mexico | 15. |

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Please consider helping us add Alaska to that list.

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Questions?



Firefighters are at a higher risk of cancer, and this risk should be covered.

