

**HB**

**2000**

SFIN

FILE

Sec

# SENATE FINANCE COMMITTEE REPORT

DATE: 4/6/08

FURTHER:

DATE TURNED IN TO OFFICE: 4-10-08

Finance Committee considered CS FOR HOUSE BILL NO. 200(FIN)

## HB 200 WORKERS' COMP: DISEASE PRESUMPTION

"An Act relating to the presumption of coverage for a workers' compensation claim for disability as a result of certain diseases for certain fire fighters."

and recommends:

- be replaced with  SCS or  CS \_\_\_\_\_ (\_\_\_\_\_)
- adopt previous  SCS or  CS \_\_\_\_\_ (\_\_\_\_\_)
- attached amendment(s)
- adopt \_\_\_\_\_ Letter of Intent
- further referral to \_\_\_\_\_ Committee

<b>SENATE BILL:</b>	
<input type="checkbox"/>	Same Title
<input type="checkbox"/>	New Title
<hr/>	
<b>HOUSE BILL:</b>	
<input type="checkbox"/>	Same Title
<input type="checkbox"/>	Technical Title Change
<input type="checkbox"/>	New Title w/ SCR # _____

### NEW FISCAL NOTE(S):

Department	Date	Fiscal	Indet.	Zero	FN#

### PREVIOUS FISCAL NOTE(S):

Department	Date	Fiscal	Indet.	Zero	FN#
ADM	12/4/07		✓		3
LWF	12/13/08		✓		4

APPROPRIATION - no fiscal note

SIGNATURES AND RECOMMENDATIONS:	PRINTED LAST NAME	DO PASS	DO NOT PASS	NO REC	AMEND
	Elton	✓			
	Thomas	✓			
	Williams				
	Olson				✓
CO-CHAIR:	Hoffman				
CO-CHAIR:	Hoffman				

# FISCAL NOTE

STATE OF ALASKA  
2008 LEGISLATIVE SESSION

Fiscal Note Number: 3  
Bill Version: CSHB 200(FIN)  
(H) Publish Date: 3/4/08

Identifier (file name): HB200CS(JUD)-DOA-RM-12-04-07 Dept. Affected: Administration  
Title: An Act relating to presumption of coverage for w/c claims RDU: Risk Management  
for certain occupations Component: Risk Management  
Sponsor: Representative Dahlstrom et al,  
Requester: \_\_\_\_\_ Component Number: 71

**Expenditures/Revenues** (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below

	Appropriation Required	Information					
		FY 2009	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013
<b>OPERATING EXPENDITURES</b>							
Personal Services							
Travel							
Contractual							
Supplies							
Equipment							
Land & Structures							
Grants & Claims							
Miscellaneous							
<b>TOTAL OPERATING</b>	**	0.0	**	**	**	**	**

<b>CAPITAL EXPENDITURES</b>							
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<b>CHANGE IN REVENUES ( )</b>							
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**FUND SOURCE** (Thousands of Dollars)

1002 Federal Receipts							
1003 GF Match							
1004 GF							
1005 GF/Program Receipts							
1037 GF/Mental Health							
Other Interagency Receipts							
<b>TOTAL</b>	**	0.0	**	**	**	**	**

Estimate of any current year (FY2008) cost: \*\*

**POSITIONS**

Full-time							
Part-time							
Temporary							

**ANALYSIS:** *(Attach a separate page if necessary)*  
 Risk Management (RM) will be financially impacted by the changes in this legislation. RM administers the self insurance program providing workers' compensation protection for all state employees, including illness claims filed by occupations affected by this legislation. The self insured worker's compensation claims will realize increased litigation and benefit costs. As the number of reported exposures will vary by year, it is difficult to present accurate projections. Future Risk Management's workers' compensation assessments to those agencies with employee occupations affected by this new presumption of coverage will increase to reflect actual costs incurred as premiums charged each agency are developed from actual claims expenses incurred.

Prepared by: J. Brad Thompson, Director  
 Division: Risk Management  
 Approved by: Kevin Brooks, Deputy Commissioner  
Department of Administration

Phone: 465-5723  
 Date/Time: 12/4/07 12:00 AM  
 Date: 12/4/2007

# FISCAL NOTE

STATE OF ALASKA  
2008 LEGISLATIVE SESSION

Fiscal Note Number: 4  
Bill Version: CSHB 200(FIN)  
(H) Publish Date: 3/4/08

Identifier (file name): HB200CS-DOLWD-WC-02-13-08 Dept. Affected: Labor and Workforce Development  
Title: Workers' Comp: Disease Presumption RDU: Workers' Compensation  
Component: Workers' Compensation  
Sponsor: Representative Dahlstrom  
Requester: House Finance Component Number: 344

**Expenditures/Revenues** (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

	Appropriation Required	Information						
		FY 2009	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014
<b>OPERATING EXPENDITURES</b>								
Personal Services								
Travel								
Contractual								
Supplies								
Equipment								
Land & Structures								
Grants & Claims								
Miscellaneous								
<b>TOTAL OPERATING</b>		0.0						

<b>CAPITAL EXPENDITURES</b>								
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<b>CHANGE IN REVENUES ( )</b>								
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**FUND SOURCE** (Thousands of Dollars)

	FY 2009	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014
1002 Federal Receipts							
1003 GF Match							
1004 GF							
1005 GF/Program Receipts							
1037 GF/Mental Health							
Other Interagency Receipts							
<b>TOTAL</b>		0.0					

Estimate of any current year (FY2008) cost: None

**POSITIONS**

	FY 2009	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014
Full-time							
Part-time							
Temporary							

**ANALYSIS:** (Attach a separate page if necessary)

The broadly applicable presumptions included in the bill could result in numerous claims. The seriousness of the covered conditions would involve large amounts of benefits, and those factors coupled with the broad scope of defenses (like heredity and other life exposures) could lead to extensive, complicated hearings.

\* The costs of this proposed legislation cannot be determined in advance as there are no comparable Workers' Compensation Act provisions at present. Increased costs, if any, would consist of additional personnel needed to resolve disputed claims for benefits based upon the new presumptions.

Prepared by: Paul Lisankie, Director  
Division: Workers' Compensation  
Approved by: Click Bishop, Commissioner  
Department of Labor and Workforce Development

Phone: 465-6059  
Date/Time: 2/13/08 7:39 AM  
Date: 2/13/08

# ALASKA STATE LEGISLATURE

*Co-Chair:*  
Joint Armed Services Committee

*Vice-Chair:*  
Legislative Council

*Member:*  
Judiciary Committee  
Oil and Gas Committee  
Military and Veterans Affairs Committee  
Community and Regional Affairs Committee



*Session:*  
Alaska State Capitol  
Juneau, AK 99801-1182  
Phone: (907) 465-3783  
Fax: (907) 465-2293  
Toll Free (877) 460-3783

*Interim:*  
10928 Eagle River Road  
Eagle River, Alaska 99577  
Phone: (907) 622-3783  
Fax: (907) 622-3784

## REPRESENTATIVE NANCY DAHLSTROM

ELMENDORF AFB • FORT RICHARDSON • BIRCHWOOD • FIRE LAKE • GOVERNMENT HILL • MULDOON  
Representative\_Nancy\_Dahlstrom@legis.state.ak.us

### Sponsor Statement

House Bill 200, "An Act relating to the presumption of coverage for a workers' compensation claim for disability as a result of certain diseases for certain firefighters," establishes a presumption in the Worker's Compensation program for professional and volunteer firefighters who have had a qualifying medical exam and have been on the job at least seven years.

It grants benefits to firefighters stricken with certain types of cancer and heart disease due to their exposure to toxic chemicals, and high levels of carbon monoxide. Silent killers like asbestos and benzene can appear after they leave the job. The requirements of this bill are that the claims must be made within five years after the last day of employment.

Firefighters take great risks every day to protect our lives and the lives of our loved ones. They protect themselves the best that they can but do not think twice before responding to an emergency. They are regularly exposed to dangerous elements such as carcinogenic substances and carbon monoxide that can lead to chronic and debilitating illnesses later in their life.

There was concern the bill was too broad, so in a compromise the House Finance Committee adopted a new version that deleted the inclusion of EMT's and First Responders. A great deal of thought has been put into this legislation in order to create defined parameters of who qualifies for these benefits. I ask for the committee's favorable consideration for House Bill 200.

**Staff Contact: Kelly Goode**  
**Phone: 465-6598**

# LEGISLATIVE RESEARCH REPORT

FEBRUARY 26, 2007



REPORT NUMBER 07.125

## PRESUMPTIVE DISABILITY LAWS

PREPARED FOR SENATOR HOLLIS FRENCH

BY PATRICIA YOUNG, MANAGER

You asked for information on presumptive disability laws in other states. As you may know, such laws link certain occupations with the occurrence of diseases and conditions known to be associated with those occupations. These laws establish a presumption that, for example, the death or disability of a firefighter from a cardiovascular disease, certain cancers, or certain infectious diseases is job-related for purposes of worker's compensation and disability retirement. The presumption shifts the burden of proof from the employee to the employer, who must attempt to prove that the disease or condition arose from causes other than the occupation.

18/41 infectious disease  
Lawmakers in 41 states have enacted some form of presumptive disability law according to the International Association of Fire Fighters (IAFF).<sup>1</sup> We attach a chart, provided by the IAFF, which gives some detail on coverage among states.<sup>2</sup> The statutes vary widely, but as you will see, most of these laws cover heart and lung diseases, laws in only ten states cover certain cancers and certain infectious diseases as well as the cardiovascular diseases.<sup>3</sup>

Many states' laws allow for pre-employment screening. Nevada law, for example, requires that police officers, firefighters and emergency medical attendants submit to a blood test to screen for hepatitis C upon employment, upon the commencement of coverage, and annually thereafter during employment. Also, unless such individuals have been vaccinated, they must submit to similar testing for hepatitis A and B.

<sup>1</sup> The following ten jurisdictions have no presumptive disability law: Alaska, Arkansas, Delaware, District of Columbia, Mississippi, Montana, New Mexico, North Carolina, West Virginia, and Wyoming.

<sup>2</sup> Attachment A: International Association of Fire Fighters, State Presumptive Disability Laws. The International Association of Fire Fighters represents more than 280,000 professional fire fighters and emergency medical responders across the U.S. and Canada.

<sup>3</sup> States covering some form of each category of disease or condition are Alabama, Illinois, Indiana, Minnesota, Nevada, North Dakota, Oklahoma, Texas, Virginia, and Washington. According to the National Volunteer Fire Council, at Pennsylvania provides worker's compensation benefits to volunteer emergency service responders as well as to career responders who contract hepatitis C while on the job. We attach copies of statutes from Minnesota, Nevada, Virginia, and Washington as Attachments B through E, respectively. Preceding each set of statutes, we include the IAFF description from that organization's website: <http://www.iaff.org/safe/content/presumptive/intselect.asp>.

In some states, factors that can be used to rebut the presumption are explicit in statute or regulation. Washington law, for example, specifies that the presumption of occupational disease may be rebutted by a preponderance of the evidence. Evidence may include factors such as use of tobacco products, physical fitness and weight, lifestyle, hereditary factors, and exposure from other employment or nonemployment activities.

As Attachment F we include copies of model presumptive disability laws provided by the International Association of Fire Fighters. As you will see, these model laws include coverage for cardiovascular diseases, cancer, and infectious diseases related to the line of duty for fire fighters and emergency medical providers. Also included is an IAFF model law relating to death benefits for the dependents of public safety officers who die while or from acting in line of duty. For the purpose of this law, *public safety officer* includes individuals serving in a public agency in an official capacity, with or without compensation, as a law enforcement officer, fire fighter, or member of a public rescue squad or ambulance crew.

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We hope this information is useful. Please let us know if you have questions or need additional information.

# Alaska Professional Fire Fighters Association

## LEGISLATIVE FACT SHEET

April 2, 2007

### HB 200

## FIRE FIGHTER PRESUMPTIVE DISABILITY LAW

### BACKGROUND

Fire fighters serve as the state's leading provider of emergency medical services, exposing them to infectious diseases, heat and stress, and various toxic substances in uncontrolled environments. As a result of these exposures, fire fighters contract heart and lung diseases, infectious diseases and cancers at a much higher rate than any other class of workers. Studies show that these diseases are occupational hazards of the profession and among the leading causes of death and disability for fire fighters.

In recognition of this, 40 other states have "Presumptive Disability" laws, which provide the necessary protections for fire fighters and emergency workers engaged in hazardous occupations. No such laws exist to cover fire fighters in Alaska.

### AKPFFA POSITION

AKPFFA strongly supports HB 200 which recognizes and supports Alaskan fire fighters.

### AKPFFA ARGUMENTS

- HB 200 does not guarantee coverage for an illness, HB 200 provides a disability presumption. The employer has the right to contest a claim.
- This is fiscally responsible legislation that disclaims any fire fighter with less than 7 years of service, is in poor physical shape, or uses tobacco products.
- This bill includes any fire fighter, either volunteer or paid, who meets the standards set forth and verified by a medical doctors finding.
- Fire fighters facing these diseases are literally fighting for their lives. This bill insures that they don't have to concurrently fight for their rights.

### CURRENT BILL STATUS

HB 200 was introduced on March 14, 2007 and is currently assigned to the Labor & Commerce Committee.

*AKPFFA Legislative Director Mike Davidson at (907)230-4960*

## Attachment A

International Association of Fire Fighters  
"State Presumptive Disability Laws"

## State Presumptive Disability Laws

The following states have presumptive disability laws which recognize that fire fighters are at increased risk for certain illnesses. The laws create a presumption that the specified diseases are job related. Because the laws vary greatly from state to state, readers should review the specific state laws to determine the law's application.

State	Heart Disease	Lung Disease	Cancer	Infectious Diseases
Alabama	✓	✓	✓	✓*
Alaska				
Arizona			✓*	✓*
Arkansas				
California	✓		✓	✓
Colorado	✓	✓		✓
Connecticut	✓			
Delaware				
District of Columbia				
Florida	✓	✓*		✓*
Georgia	✓	✓		
Hawaii	✓	✓		
Idaho	✓	✓		
Illinois	✓	✓	✓	✓*
Indiana	✓	✓	✓	✓*
Iowa	✓	✓		
Kansas	✓	✓	✓	
Kentucky	✓	✓		
Louisiana	✓	✓	✓*	
Maine	✓	✓		✓
Maryland	✓	✓	✓*	
Massachusetts	✓	✓	✓	
Michigan	✓	✓		
Minnesota	✓	✓	✓	✓
Mississippi				

State	Heart Disease	Lung Disease	Cancer	Infectious Diseases
Missouri	✓	✓		
Montana				
Nebraska			✓	
Nevada	✓	✓	✓	✓*
New Hampshire	✓	✓		
New Jersey		✓		
New Mexico				
New York			✓*	
North Carolina				
North Dakota	✓	✓	✓	✓*
Ohio	✓	✓		
Oklahoma	✓	✓	✓	✓*
Oregon	✓	✓		
Pennsylvania	✓	✓		✓*
Rhode Island		✓	✓	✓
South Carolina	✓	✓		
South Dakota	✓	✓	✓	
Tennessee	✓**	✓**	✓**	
Texas	✓	✓	✓	✓*
Utah	✓	✓		✓*
Vermont	✓*			
Virginia	✓	✓	✓*	✓*
Washington	✓	✓	✓	✓
West Virginia				
Wisconsin	✓	✓	✓*	
Wyoming				

- \* Indicate that only specified diseases in these categories are covered
- \*\* Applies only to certain localities

18 December 2006

From: Rich Duffy, IAFF Assistant to the General President  
To: Kelly Bach, President, Oregon State Fire Fighters Council  
Ref: Presumptive Cancer Costs

I am pleased to provide you specific information regarding the claims experience of States that currently have presumptive cancer legislation.

As you are aware, I represent the 274,000 members of the International Association of Fire Fighters (IAFF) for occupational health, medicine and safety issues. I have been with the IAFF for over 28 years. Additionally, I have been personally involved in every state and provincial effort to obtain cancer compensation benefits for our members, whether through direct testimony or developing data and information to support legislative efforts.

During this vast experience, it became quite obvious to me that the fiscal impact and other financial information provided by opponents to fire fighter cancer legislation might be incomplete. This is not surprising since fire fighters throughout the United States are not universally covered by State Worker's Compensation Programs. Many states, by statute, allow fire departments to cover their employees for worker compensation benefits through the individual retirement systems. Hence, any claims made and or paid would not be recorded by the State Worker Compensation Bureau, but would be recorded by the individual retirement system. This would be the case in a number of other states that currently have cancer presumptive legislation. This data is more easily obtainable from those States that have statewide fire fighter pension systems, since the system collects and records the data. The only exception would be when the employer challenges the presumptive nature of the claim. In this case the State Worker Compensation program would record the claim.

We believe that it is reasonable to suggest that there would be some claims experience related to this type of coverage. Therefore, we were able to obtain some additional numbers on fire fighter disabilities and cost experience from around the country.

In the State of California, which has the largest career sector of fire fighters in the country (30,000) and one of the largest volunteer sectors (33,000) the addition of cancer presumptive benefits has had "no impact" on the actuarial assumptions or funding of the state's fire fighter retirement system (Assemblyman Sal Cannella, California Legislature). An actuary for the California Public Employee Retirement System (CALPERS), the largest retirement system in the United States, has

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declared that the addition of presumptive cancer benefits for fire fighters has had "minimal effect" on the actuarial costs to the retirement system. In fact, the financial implications were so minimal, that CALPERS never had to perform an actuarial impact study after the implementation of the benefit by the California legislature (David DuBois, Contract Services Department, CALPERS). During the first three years, an average of 45 annuitant claims were paid for cancer related disabilities. This is .07% of the active fire fighting workforce. The average claim for total cancer benefits was \$14,075.00.

In 1984, the State of Illinois added cancer presumption language to its worker compensation statute. The City of Chicago employs over 50% of the 10,700 career fire fighters in the State of Illinois. During the 6 year period following the implementation of the statute the average number of beneficiaries receiving occupational disability benefits was 8.3% lower than the average number of beneficiaries in the six years prior to passage. Thus the inclusion of cancer benefits in 1984 obviously had no impact on the funding requirements for the occupational disability benefits portion of the Chicago Firemen's Annuity and Benefit Fund (Firemen's Annuity and Benefit Fund of Chicago Actuarial Statement).

In the first six years that they had fire fighter cancer legislation in Oklahoma, they had 22 claims paid statewide or 6% of the 378 disability claims paid. This averages to 4 claims per year for a rate of cancer claims of .03% at an average cost to the pension system of \$10,409.00 per total cancer claim (Bob Hollander, Executive Director, Oklahoma Firefighters Pension and Retirement System). There are 3,420 career fire fighters and 9,000 volunteer fire fighters.

In Nevada, there were 3 cancer claims paid in the first four years that the legislation was enacted. None of these cases include lung cancer, which is covered under separate legislation (S. Mark Balen, President, Nevada Fire Fighters Association). There are 1,790 career fire fighters and 2,200 volunteer fire fighters in Nevada. This averages to less than 1 claim per year for a rate of cancer claims of .02%.

In Rhode Island, which passed the legislation in 1986, there were 6 claims paid in the first 8 years. This averages to less than 1 claim per year for a rate of cancer claims of .02% (Theodore Scrypsack, Chairman, Rhode Island Firefighter's Relief Board). There are 2,200 career fire fighters and 2,800 volunteer fire fighters in Rhode Island.

In the first four years that they had cancer legislation in Massachusetts, there were 34 cancer claims paid (15 disability and 19 death benefits) (Joseph Martin, Deputy Director, Public Employee Retirement Agency). This averages to less than 9 claims per year at a rate of .03% of the active fire fighting workforce.

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There are 14,500 career fire fighters and 11,400 volunteer fire fighters in Massachusetts.

In Florida there 22,445 active career fire fighters. Using the assumption that Florida has a rate that does not exceed the average of the above States' cancer related disabilities -- .034% of the active fire fighting workforce -- the expected number of annual cancer claims for career fire fighters would be 8 fire fighters.

**Based on the above information on actual experience, the cost per cancer claim for those states having presumptive occupational disease statutes is substantially less than the unsubstantiated figures asserted by other parties. The reason for this, unlike benefits for other occupations, is the higher mortality rate and significantly shorter life expectancy associated with fire fighting. Fire fighters are dying too quickly from cancer and other occupational diseases, unfortunately producing a significant pension annuity saving for states and municipalities.**

I hope this information is helpful. If you need any additional assistance, please do not hesitate to contact us.

# Municipality of Anchorage

## Medical Examination, Testing, And Evaluation Services for Anchorage Fire Department Personnel

### Medical Examination Components

The criterion used to determine if a candidate or current employee is fit for duty will be based on NFPA 1582. A majority of the criteria is provided in this section.

#### 1. Medical History Questionnaire

An initial pre-employment medical history questionnaire including occupational history must be completed by the candidate to provide baseline information with which to compare future medical concerns. A yearly update of medical and occupational history and significant exposures must be completed to provide follow-up information to the reviewing medical professional for current members. Periodic questionnaires focus on changes in health status.

#### 2. Annual Fitness Evaluation Review

Response personnel are subjected to annual fitness assessments as outlined in the IAFF/IAFC Wellness-Fitness Initiative and replicated in Annex C of NFPA 1582. The current member would need to provide this information to the health care professional at the time of their exam.

#### 3. Hands on Physical Examination

*Height and weight*

*Vital Signs*

*Head, Eyes, Ears, Nose, and Throat*

*Neck*

*Cardiovascular*

*Inspection, auscultation, percussion, and palpation.*

*Pulmonary*

*Inspection, auscultation, percussion, and palpation.*

*Gastrointestinal*

*Inspection, auscultation, percussion, and palpation.*

*Genitourinary*

*Hernia exam (Also, see cancer screening).*

*Endocrine and metabolic systems*

*Rectal*

*(See cancer screening).*

*Lymph Nodes*

*The examination of organ systems must be supplemented with an evaluation of lymph nodes in the cervical, axillary, and inguinal regions.*

*Neurological*

*The neurologic exam must include a general mental status evaluation and general assessment of the major cranial/peripheral nerves (motor, sensory, reflexes).*

*Musculoskeletal*

*Includes an overall assessment of range of motion (ROM) of all joints.*

# Municipality of Anchorage

## **4. Blood Analysis** (Note: blood should be drawn at time of exam.)

At a minimum, laboratory services must provide the SMAC 24 components in their automated chemistry panel and complete blood count (CBC) protocols. The following lists some components of the blood analysis.

### *White Blood Cell Count*

#### *Differential*

### *Red Blood Cell Count (Hematocrit)*

### *Platelet Count*

### *Liver Function Tests*

*Includes SGOT/AST, SGPT/ALT, LDH, Alkaline Phosphatase, and Bilirubin*

### *Triglycerides*

### *Glucose*

### *Blood Urea Nitrogen*

### *Creatinine*

### *Sodium*

### *Potassium*

### *Carbon Dioxide*

### *Total Protein*

### *Albumin*

### *Calcium*

### *Cholesterol*

*Includes Total Cholesterol, Low Density Lipoprotein (LDL-C) level, high Density Lipoprotein (HDL-C) level, and Total Cholesterol/HDL Ratio*

## **5. Urinalysis**

### *Dip Stick*

*Includes pH, Glucose, Ketones, Protein, Blood, and Bilirubin*

### *Microscopic*

*Includes WBC, RBC, WBC Casts, RBC Casts, and Crystals*

## **6. Vision Tests**

Assessment of vision must include evaluation of distance, near, peripheral, and color vision. Evaluate for common visual disorders including cataracts, macular degeneration, glaucoma, and diabetic retinopathy.

## **7. Hearing (Audioqram)**

See page 1.

## **8. Pulmonary (Spirogram)**

## **9. Chest X-Ray**

### *Initial Baseline*

*Repeat Chest X-Ray (Every three years -- optional)*

*Repeat Chest X-Ray (Every five years -- mandatory for response personnel)*

# Municipality of Anchorage

## 10. Back Evaluation

*Initial Baseline Lumbar Spine X-ray*

*Repeat (Every five years – mandatory for response personnel)*

## 11. EKG (Resting)

## 12. Cancer Screening Elements

*Non-invasive bladder cancer test (Maritech NMP22 Bladderchek) or equal  
Digital Rectal Exam*

*Fecal Occult Blood Testing*

*Skin Exam*

*Testicular Exam*

*Prostate Specific Antigen*

*Annual after age 40 for positive family history, African-American or if otherwise clinically indicated; annual after age 50 for all other male members.*

*Clinical Breast Examination*

*CA-125 Ovarian Screen (Optional by employee)*

*Pap Smear (Optional by employee)*

*Mammogram (Optional by employee)*

*Annual beginning at age 40*

*Screening Colonoscopy Services*

*For all members above the age of 50 or earlier if clinically indicated.*

## 13. Infectious Disease Screening

*Tuberculosis Screen (Mandatory annual PPD for response personnel)*

*The fire department has this test administered at one of our facilities during the winter over a three day period, one day for each shift for our response personnel, with interpretation of the test site 48 hours later. In addition, the PPD needs to be available for post exposure evaluations. The influenza immunization may also be provided at this time (see immunizations below).*

*Hepatitis B Virus Screen*

*Surface Antigen Type*

*Hepatitis C Virus Screen*

*Anti-HCV (antibody to HCV)*

- EIA (enzyme immunoassay) This test is usually done first. If positive, it should be confirmed*
- RIBA (recombinant immunoblot assay) A supplemental test used to confirm a positive EIA test*

*HIV Screening (Required to be offered)*

## 14. Treadmill Stress Test

*If clinically indicated.*

## 15. Individualized Health Risk Appraisal

*Provide written feedback in the form of a letter mailed to current members that address the results of their medical exam. The letter shall report abnormal findings and risks and suggest plans for making modification to these risks. Data from the lipid panel, triglyceride level, and PSA test (if applicable) will be included in the appraisal. In addition, comments (ie: Within normal limits; Negative; Positive; Positive for immunity; High, Low) shall be made for each of the following components: glucose, renal function,*

# Municipality of Anchorage

liver function tests, CBC, urinalysis, audiogram, vision, pulmonary function test, EKG, purified protein derivative, HIV, and hepatitis B and C. Also, comments will be provided whenever chest and/or lumbar x-rays are made.

If any serious medical conditions are discovered as a result of an exam, the member must be immediately informed of this.

## **16. Written Opinion**

The physician will provide a HIPAA compliant written opinion to the Municipality which states whether or not a candidate or current employee is medically certified for performing the tasks of their job duties.

## **Heavy Metals Analysis Components**

Baseline testing for heavy metals will be conducted to candidates who have been invited to join the hazardous materials team. In addition, team members who are leaving the team will also be tested for heavy metals and tests may also be conducted on an "as needed" basis.

### **1. Heavy Metal and Special Exposure Screening**

*Arsenic (urine)*  
*Mercury (urine)*  
*Lead (blood)*  
*Aluminum*  
*Antimony*  
*Bismuth*  
*Cadmium*  
*Chromium*  
*Copper*  
*Nickel*  
*Zinc*  
*Organophosphates (RBC cholinesterase)*  
*Polychlorinated Biphenyl's (blood)*

### **2. Employee Notification**

Written feedback concerning the results of the heavy metals test shall be provided to the employee.

### **3. Written Opinion**

The physician will provide a HIPAA compliant written opinion to the Municipality that states whether or not the employee is medically certified for performing assigned tasks as a hazardous materials team member.

# Municipality of Anchorage

## Additional Services

### Immunizations

Employees who receive the Medical Exam are to also be offered the following immunizations as needed.

#### **Influenza**

*The fire department has these provided at one of our facilities over a three day period, one day for each of our shifts, while response members are on duty.*

#### **Hepatitis B Virus Vaccine (Mandatory)**

*All current employees who have response duties have been vaccinated for Hepatitis B unless they declined. However, for those who need a booster and for any employees who have not been immunized but now wish to be, the vaccine shall be offered.*

#### **Tetanus-Diphtheria-Pertussis Vaccine (Tdap)**

*(Booster every 10 years)*

*This vaccine shall be made available to all response employees who are in need.*

#### **Hepatitis A Vaccine**

*All employees should be vaccinated for Hepatitis A.*

#### **Varicella Vaccine (Required to be offered)**

*Made available to employees who have not previously had varicella.*

#### **MMR**

### **Data Collection and Reporting (at MOA's option)**

At the option of the MOA at a later time, the health care provider will electronically compile and submit medical data obtained from Type II and III exams to the International Wellness-Fitness database for firefighters. If the MOA wishes to execute this option, it will provide the software to accomplish this task.

Following is an overview of the medical data that would be submitted annually:

- Date of exam
- Medical history
- Smoking history (packs/year)
- Smoking in the past year
- Tobacco (chew) use
- Tobacco cessation program participation
- Alcohol use (drinks/week)
- Family history of disease and cancer
- Personal history of past disease, disorders, or cancer
- Blood pressure and pulse
- ICD9 codes for physician assessment
- Height and weight
- Blood analysis results
- Urinalysis results
- Vision
- Hearing
- Spirometry
- Chest X-ray
- Cardiogram
- Aerobic/Cardiopulmonary results
- Cancer screening results
- Immunizations

**Kelly Huber**

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**From:** Matthew McSorley [mcsorley@alaskapffa.org]  
**Sent:** Wednesday, May 02, 2007 4:37 PM  
**To:** Kelly Huber; jbriggs@IAFF1264.COM; johnstonsinak@gci.net; lozano@alaskapffa.org; drygas@alaskapffa.org; paulson@alaskapffa.org  
**Subject:** FW: hello and need Help

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**From:** dan grimes [mailto:dan\_757@yahoo.com]  
**Sent:** Wednesday, May 02, 2007 3:58 PM  
**To:** Matthew McSorley  
**Subject:** Re: hello and need Help

Hi Matt,

Dan Grimes here - Numbers for the Fairbanks Int. Airport Police & Fire are below. Thanks for spending time and effort on this, it is beneficial to all!

Fairbanks Int. Airport Police & Fire

12 Members with 7 at least seven years and Firefighter I. This is everyone who has at least seven years, as we require firefighter I for all new hires

*Matthew McSorley <mcsorley@alaskapffa.org> wrote:*

Hello,

I am Matt McSorley I am currently a Fire Fighter/Engineer in Anchorage. I have worked for the City of Fairbanks, University Fire Department and Capital City Fire Rescue also.

I am writing because I need help in getting a piece of legislation passed that would grant presumptive workers comp coverage for Fire Fighters and First responders with 7 years experience. There are coverage's in the bill for Cancer, Heart and Lung, and Blood Born Pathogens for FF and First responders with 7 years service.

The Bill is HB 200 and SB 177

[http://www.legis.state.ak.us/basis/get\\_bill.asp?session=75&bill=hb-200;format=Display+Bill+Book](http://www.legis.state.ak.us/basis/get_bill.asp?session=75&bill=hb-200;format=Display+Bill+Book)

I need some help to get this passed and only people from all around the state can help me. I think this may be easier than calling 200+ departments.

I need the number of fire fighters in your respective FD's that have both 7+ years of service and their FFI certificate.

I also need to know how many first responders in your department have 7+ years of service.

**Kelly Huber**

**From:** Matthew McSorley [mcsorley@alaskapffa.org]  
**Sent:** Thursday, May 03, 2007 8:13 PM  
**To:** jbriggs@IAFF1264.COM; johnstonsinak@gci.net; lozano@alaskapffa.org; 'Mike Davidson'; Kelly Huber  
**Subject:** FW: hello and need Help

**From:** Rocky Jones [mailto:Rocky.Jones@matsugov.us]  
**Sent:** Thursday, May 03, 2007 7:30 PM  
**To:** Matthew McSorley  
**Subject:** RE: hello and need Help

MLFD (Mat-Su Valley) has 24 firefighters on our roster. Of that 6 have both, at least 7 years experience AND at least FFI certification. We have an additional 5 that are FFI certified but less than the 7 years. We also have 3 that have the 7 years but are not certified at a state firefighter level.

Rocky Jones, Fire Chief  
 Meadow Lakes Fire Dept.  
 Station 7-1 (907) 376-9790  
 Home (907) 373-5069

**From:** Matthew McSorley [mailto:mcsorley@alaskapffa.org]  
**Sent:** Wed 5/2/2007 1:27 PM  
**To:** fire\_service\_training@list.state.ak.us  
**Subject:** hello and need Help

Hello,

I am Matt McSorley I am currently a Fire Fighter/Engineer in Anchorage. I have worked for the City of Fairbanks, University Fire Department and Capitol City Fire Rescue also.

I am writing because I need help in getting a piece of legislation passed that would grant presumptive workers comp coverage for Fire Fighters and First responders with 7 years experience. There are coverage's in the bill for Cancer, Heart and Lung, and Blood Borne Pathogens for FF and first responders with 7 years service.

The Bill is HB 200 and SB 177

[http://www.legis.state.ak.us/basis/get\\_bill.asp?session=25&bill=hb+200&submit=Display+Bill+Root](http://www.legis.state.ak.us/basis/get_bill.asp?session=25&bill=hb+200&submit=Display+Bill+Root)

I need some help to get this passed and only people from all around the state can help me. I think this may be easier than calling 200+ departments.

I need the number of fire fighters in your respective FD's that have both 7+ years of service and their FFI certificate.

5/4/2007

**ALASKA FIRE CHIEF'S ASSOCIATION**

**2358 Bradway Road, North Pole, AK 99705**

EIN #92-0098649

Phone (907) 488-3400

FAX (907) 488-6118



March 25, 2007

Representative Nancy Dahlstrom  
Alaska House of Representatives  
State Capital, Room 409  
Juneau, Alaska 99801-1182

Ref HB 200

Dear Representative Nancy Dahlstrom

The Alaska Fire Chief's Association is in support of HB 200 which would provide presumption coverage for our fire fighters for respiratory disease, heart attacks and cancers that are occupational hazards in the fire service

The fire chiefs of Alaska see the need to provide this coverage for our employees that are protecting Alaska, in order to provide for those that have served our communities in their time of need. We encourage the passage of House Bill 200 with the endorsement of the Alaska Fire Chief's Association

Sincerely,

A handwritten signature in cursive script, which appears to read "Warren B. Cummings".

Warren B. Cummings, Fire Chief  
President AFCA

**Public Safety Employees Association, Inc.**  
***"Representing Alaska's Finest"***

**Position Paper**  
**HB 200 and SB 117**  
**Presumption of Coverage – Workers' Compensation**

By the nature of their work, public safety employees from time to time are exposed to dangerous viruses and diseases and to unhealthy and life threatening smoke, chemicals and other hazardous materials. If exposure leads to acquisition of a disease or disability, the employee faces lengthy treatment and recovery time and expense.

Currently, contagious diseases such as human immunodeficiency virus; acquired immunodeficiency syndrome; all strains of hepatitis; meningococcal meningitis, and mycobacterium tuberculosis are not covered as a disability under workers' compensation. In addition, respiratory disease; heart problems that are experienced 72 hours after exposure to smoke, fumes, or toxic substances; and the following cancers: primary brain cancer; malignant melanoma; leukemia; non-Hodgkin's lymphoma; bladder cancer; urethra cancer, and kidney cancer are not covered by workers' compensation.

Passage of HB 200 or SB 117 will provide our public safety employees who are exposed to these potentially dangerous diseases or viruses valuable workers' compensation coverage should they contract a disease or disability as a result.

The Public Safety Employees Association recommends the passage of this legislation and furthermore, expresses its thanks to the sponsors of this important legislation.



# ANCHORAGE FIREFIGHTERS LOCAL 1264



P.O. Box 242041 • Anchorage, AK 99524-2041  
(907) 349-1264 • (907) 349-5580 (fax)

Senator French  
Representative Dahlstrom

I would like to personally thank you both for your support of SB117 and HB200 respectively. As a newly hired Firefighter/ Paramedic w/ the Anchorage Fire Department, it is comforting that you both are looking out for the interest of my family and brothers of the IAFF Local 1264. It is comforting for me to know that your diligence and representation in the House and Senate is for the betterment of Firefighters in our great state of Alaska.

Sincerely,

Don L. Wagner  
Firefighter/ Paramedic  
Anchorage Fire Department



# ALASKA CORRECTIONAL OFFICERS ASSOCIATION

*"Walking Alaska's Toughest Beat"*

April 5, 2007

Representative Nancy Dahlstrom  
Alaska State Legislature  
State Capitol, Room 409  
Juneau, Alaska 99801-1182

Dear Representative Dahlstrom,

The Alaska Correctional Officers Association and Correctional Officers state-wide thank you for your sponsorship and support of House Bill 200. Firefighters, peace officers and emergency medical and rescue personnel work in environments where they are regularly exposed to the specific health risks addressed in your Bill. These diseases are serious line of duty hazards for these Officers and passage of this Bill is vitally important to all Correctional Officers around the state. If there is anything we can do to assist in the passage of this very important Bill, please feel free to contact us.

Sincerely,

Brad Wilson  
Business Manager

ALASKA STATE  
FIREFIGHTERS ASSOCIATION

P.O. Box 22092 • Juneau, AK 99802

April 3, 2007

Representative Nancy Dahlstrom  
Alaska House of Representatives  
State Capital, Room 409  
Juneau, Alaska 99801

Ref: HB 200

Dear Representative Dahlstrom,

On behalf of the Alaska State Firefighters Association, I would like to thank you for your introduction and support of HB 200. Alaska's fire service is in reality, an "all hazards" service. On a daily basis firefighters respond into situations where there are unknown hazards in an effort to assist the Alaskans we serve. This important legislation will provide presumptive coverage for occupational illnesses such as, respiratory disease, heart attacks, and certain cancers.

State of the art hazard identification and personal protective equipment used by Alaska firefighters, while effective, do not and can not protect us from all hazards. The Alaska State Firefighters Association endorses the passage of House Bill 200.

Sincerely,



Carol R. Reed  
President  
Alaska State Firefighters Association  
907 841 4757

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**From:** Parry, Richard [mailto:ParryRN@ci.anchorage.ak.us]  
**Sent:** Wednesday, May 02, 2007 3:20 PM  
**To:** Matthew McSorley  
**Subject:** RE: hello and need Help

Hi Matt from Rich Parry here in Girdwood. We currently have 9 people with 7 or more years of service but only 4 of them have a FFI certification. One of those is the Chief of the Whittier Tunnel fire brigade so you will have to be careful not to count him twice if they also respond to your survey. Good luck with this project. So far I have had 4 coworkers, who struggled with the workers comp. people over BBP issues (all Hep C). One of them prevailed, one is deceased, and the other two are still battling over coverage years after they became ill. Rich

-----Original Message-----

**From:** Matthew McSorley [mailto:mcsorley@alaskapffa.org]  
**Sent:** Wednesday, May 02, 2007 1:27 PM  
**To:** fire\_service\_training@list.state.ak.us  
**Subject:** hello and need Help

Hello,

I am Matt McSorley I am currently a Fire Fighter/Engineer in Anchorage. I have worked for the City of Fairbanks, University Fire Department and Capitol City Fire Rescue also.

I am writing because I need help in getting a piece of legislation passed that would grant presumptive workers comp coverage for Fire Fighters and First responders with 7 years experience. There are coverage's in the bill for Cancer Heart and Lung, and Blood Born Pathogens for FF and first responders with 7 years service.

The Bill is HB 200 and SB 177

[http://www.legis.state.ak.us/basis/get\\_bill.asp?session=25&bill=hb+200&submit=Display+Bill+Root](http://www.legis.state.ak.us/basis/get_bill.asp?session=25&bill=hb+200&submit=Display+Bill+Root)

I need some help to get this passed and only people from all around the state can help me. I think this may be easier than calling 200+ departments.

I need the number of fire fighters in your respective FD's that have both 7+ years of service and their FFI certificate.

I also need to know how many first responders in your department have 7+ years of service.

I do not need names or any personal information. We are going to use these numbers in testimony in Juneau.

Thanks for your help, hopefully we can get this passed  
Matt McSorley



# International Association of Fire Fighters

HAROLD A. SCHATBERGER  
General President

VINCENT J. BOLLON  
General Secretary Treasurer

SENATOR HOLLIS TRENCH & REPRESENTATIVE DAN LITMAN

THANK YOU FOR SUPPORTING HOUSE BILL 200 AND  
SENATE BILL 117. AS A FIRE FIGHTER I WANT TO THANK  
YOU FOR HELPING TO FIGHT FOR OUR HEALTH BENEFITS.

AFFD FIRE FIGHTER  
DAVID BELLVILLE



ANCHORAGE FIRE FIGHTERS UNION  
IAFF — LOCAL 1264

ANDY MULLEN

HOME 907 696 0160  
CELL 907 980 1313  
EMAIL [eb2@iaff1264.com](mailto:eb2@iaff1264.com)

OFFICE 907 349 1264  
PO BOX 242041  
ANCHORAGE, AK 99524

Senator French & Rep. Dahlstrom

I enjoyed my first trip to Juneau last month. Thank you for meeting with us and for all the work you have put into our presumptive disability legislation.

All at cost Anchorage Fire Dept really have our fingers crossed that we can still pass quickly.

Thank you so much for what you  
Andy Mullen

12/11/1977

Sup. Court / Department of Justice

I just wanted to let you know  
that I appreciate your continued  
support for House Bill 500 and Senate  
Bill 117.

Respectfully,

Ted Turner, Assistant, Fiscal Dept



# Anchorage Firefighters Local 1204



P.O. Box 242041 • Anchorage, AK 99524-2041  
(907) 349-1264 • (907) 349-5580 (fax)

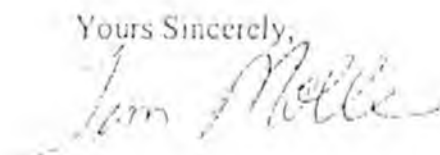
Senator French and Representative Dabaras,  
I would like to thank you for sponsoring this  
very important legislation, HR 200 and SB 17. I'm  
thankful you realize the need and importance  
of the legislation to my colleagues and I. As  
a full time firefighter for Anchorage Fire Dept, I'm  
concerned with the medical risks of my job  
due to my health care costs, and how these  
will affect my family and I in the future.

Thank you for your efforts  
Sincerely,  
Robert J. Smith  
Firefighter

Tim Molle  
Station 4 Engineer  
Anchorage Fire Department

It is with great admiration that I write this letter to express my deep felt appreciation for the legislation that Rep. Nancy Dahlstrom and Senator Hollis French have put forward to help first responders to cope with the inherent dangers of their job. I have worked for the Anchorage Fire Department for sixteen years, and this legislation will be a comfort for the present and future first responders who have committed to a career of helping people. Thank you once again and I hope that the position that you have taken will be viewed as a fair legislation by all that must act

Yours Sincerely,

A handwritten signature in cursive script that reads "Tim Molle". The signature is written in dark ink and is positioned below the typed name "Tim Molle".

James R. Veatch  
3141 Vadla Way  
Anchorage, AK 99504

Senator Hollis French and  
Representative Nancy Dahlstrom  
State Capitol room #417  
Juneau, AK 99801-1182

March 19, 2007

Dear Senator French and Representative Dahlstrom,

I would like to thank you both for sponsoring Senate Bill 117 and House Bill 200 respectively. History has proven time and again that long after we hang up our helmets and retire from this career we cannot escape the long term health risks and problems associated with this line of work. I am a 49 year old Captain who has been a firefighter with the city of Anchorage for 23 years. I have worried about the future of my health and I'm glad steps are being taken to assist us with health benefits.

I won't make this a long letter but please accept my gratitude and that of my family for moving this bill through the long and tedious process. The Anchorage Fire Fighters will not forget you.

Sincerely,



James R. Veatch

**From:** Rep. Nancy Dahlstrom  
**Sent:** Tuesday, April 03, 2007 9:57 AM  
**To:** Jennifer Baxter  
**Subject:** FW: HB 200 Presumptive Legislation for Firefighters

**From:** Armstrong, Wayne [mailto:WArmstrong@borough.kenai.ak.us]  
**Sent:** Tuesday, April 03, 2007 9:53 AM  
**To:** Rep. Kurt Olson; Rep. Nancy Dahlstrom  
**Subject:** HB 200 Presumptive Legislation for Firefighters

My name is Wayne Armstrong and I am a professional Firefighter/Paramedic for Central Emergency Services. I am writing this email asking all of you for your support of HB 200 Presumptive Legislation for Firefighters. This bill addresses very important issues for the protection of all firefighters when it is their time of need. As you may know being a Firefighter/Paramedic is an extremely hazardous job and the hazards vary from running into burning buildings to going to the aid of someone with any number of infectious diseases. Most Firefighters and Rescue personell do their job every day, providing care, transport and possibly saving a families home or a life from a burning building without any second thoughts of "I can't go help that person he may have HIV, or HEP C" or "I can't go into the building because I may get burned or I may fill my lungs full of a carcinogen filled smoke". They do it because they love doing the job and helping others. They do it even though they know they could end up with a permanent disability or an infectious disease that could kill them. With your help this bill could make it where they don't have to fight for their rights while they may be fighting for their lives

I would like to encourage you to help push this bill through so you can help those who answer the call when others are in need of help

Thank you,

Wayne Armstrong

From: Jim Lecrone [Jim@acoa.us]  
Sent: Tuesday, April 03, 2007 9:24 AM  
To: Rep. Nancy Dahlstrom  
Cc: Rep. Andrea Doll  
Subject: Thank You

As a retired Correctional Officer who currently is employed by the Alaska Correctional Association I wish to express my appreciation for your sponsorship of HB 200 to provide presumptive coverage for certain diseases for firefighters, peace officers, and emergency medical and rescue personnel. Thank you!

If it is not too late for suggestions, I would ask you to consider changing 1 (c) (1) (F), which currently reads "any uncommon infectious disease the contraction of which the United States Secretary of Labor determines to be related to the hazards to which an employee in fire protection activities may be subject" to "any uncommon infectious disease the contraction of which the United States Secretary of Labor determines to be related to the hazards to which **fire fighters, peace officers, and emergency medical and rescue personnel** may be subject"

With or without any revisions, I want to personally thank you for sponsoring this bill.

Jim Lecrone

**From:** Quelland, Lesley [LQuell@borough kenai ak us]  
**Sent:** Tuesday, April 03, 2007 9:33 AM  
**To:** Rep. Nancy Dahlstrom  
**Subject:** HB200

Thank you for your time and consideration for this bill. As a firefighter in the State of Alaska for the past 22 years, I urge you to do all you can to get this bill passed. It will benefit firefighters statewide and open the door to more options than what worker's compensation addresses.

The hazards we face today are much different and much more caustic than of times the past, largely due to technology and product content. While we do more training than ever, and have better personal protective equipment, we are still exposed to greater hazards while fighting fire and in our normal day-to-day response to our communities needs.

Again, thank you.

Lesley Quelland, Captain  
Central Emergency Services  
Soldotna, AK 99669  
(907) 262-4792