

1 HB41
2 188191-1
3 By Representatives Hanes and Lovvorn
4 RFD: Ways and Means General Fund
5 First Read: 09-JAN-18
6 PFD: 12/13/2017

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8 SYNOPSIS: Existing law provides for certain benefits,
9 including insurance coverage, disability, and
10 workers' compensation, for any active city or state
11 firefighter who has an occupational disease,
12 including cancer, which manifests while the
13 firefighter is employed with the city or the state.

14 This bill would provide that a retired
15 certified firefighter who is diagnosed with a
16 cancer that is considered an occupational disease
17 would receive supplemental insurance coverage or
18 reimbursement of his or her actual expenses for
19 medical treatment related to the cancer that is not
20 covered by his or her own health insurance or
21 Medicare, if the cancer was diagnosed within 10
22 years of his or her retirement.

23
24 A BILL
25 TO BE ENTITLED
26 AN ACT
27

1 Relating to a retired certified firefighter with the
2 occupational disease of cancer; to provide supplemental
3 insurance coverage or reimbursement of actual expenses for
4 medical treatment not covered by the health insurance or
5 Medicare coverage of the firefighter if diagnosed within 10
6 years of retirement, under certain conditions.

7 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

8 Section 1. For the purposes of this act, the
9 following terms shall have the following meanings:

10 (1) CANCER. Cancer that originates as a cancer of
11 the brain, skin, digestive system, hematological system, or
12 genitourinary system.

13 (2) EMPLOYER. Any municipality, agency, board, or
14 district that employs paid, certified firefighters to provide
15 emergency and non-emergency fire services to the general
16 public within the boundaries of the State of Alabama.

17 (3) OCCUPATIONAL DISEASE. A disease arising out of
18 and in the course of employment which is due to hazards in
19 excess of those ordinarily incident to employment in general
20 and is peculiar to the occupation in which the employee is
21 engaged, without regard to negligence or fault, if any, of the
22 employer.

23 (4) RETIRED CERTIFIED FIREFIGHTER. Any person who
24 has obtained certification as a firefighter through and as
25 defined by the Alabama Fire College and Personnel Standards
26 Commission, who has been employed by any employer, as defined
27 by this act, who has had continued service of at least three

1 years, and who has left that service in accordance with the
2 rules of his or her employer either from service time or due
3 to a disability injury.

4 Section 2. (a) Except as provided in subsection (c),
5 a retired certified firefighter who is diagnosed with cancer
6 that is considered an occupational disease shall be provided
7 supplemental insurance coverage or reimbursement of his or her
8 actual expenses for medical treatment related to the cancer
9 which is not covered by his or her health insurance or
10 Medicare, if the cancer was diagnosed within 10 years of his
11 or her retirement.

12 (b) All costs associated with the supplemental
13 insurance coverage or reimbursement required by this section
14 shall be paid by the employer from which the retired certified
15 firefighter is retired.

16 (c) An employer is not required to provide
17 supplemental insurance coverage or compensation under
18 subsection (a) if the cancer was caused by some other means
19 other than the occupation.

20 Section 3. This act shall become effective on the
21 first day of the third month following its passage and
22 approval by the Governor, or its otherwise becoming law.