

**REVENUE:** No revenue impact

**FISCAL:** Fiscal statement issued

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**Action:** Do Pass as Amended and Be Printed Engrossed

**Vote:** 4 - 2 - 1

**Yeas:** Buckley, Hunt, Roblan, Rosenbaum

**Nays:** Berger, Esquivel

**Exc.:** Thatcher

**Prepared By:** Theresa Van Winkle, Administrator

**Meeting Dates:** 6/11

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**WHAT THE MEASURE DOES:** Adds seven specified cancers to the current list of compensable occupational diseases for non-volunteer, full-time, and fully compensated firefighters. Establishes the presumption applies to firefighters who cease to be employed under eligible positions for at least 10 years from their last day on the job. Excludes jail and prison inmates from the presumption. Requires the presumption be made by cities that provide a separate disability and retirement system. Allows Administrative Law Judges employed by the Workers' Compensation Board to decide disputes.

**ISSUES DISCUSSED:**

- Level of support from the Workers' Compensation Management-Labor Advisory Committee (MLAC)
- Effect of the measure on the City of Portland versus other cities and special districts
- Statistics and studies relating to on-the-job hazards
- Fiscal impact on local government
- Fairness of tobacco users being able to file claims
- Methodology of studies relating to firefighters and cancer
- Long-term effects to the workers' compensation system

**EFFECT OF COMMITTEE AMENDMENT:** Establishes the presumption for the additional cancers to apply to firefighters who cease to be employed under eligible positions for at least 10 years from their last day on the job. Restores the term "political division." Changes the term "impairment" to "impairment of health."

**BACKGROUND:** Current workers' compensation law establishes a "presumption" for certain occupational diseases for firefighters, including diseases of the lungs, respiratory tract, hypertension or cardiovascular-renal disease. In order to qualify for the presumption, a firefighter must have completed five or more years of work and have also taken a physical examination upon employment. Once the presumption is established, the burden is on the employer to prove that the disease is not work related.

The seven types of cancer added to the current presumption are brain cancer, colon cancer, stomach cancer, testicular cancer, prostate cancer, multiple myeloma, and non-Hodgkin's lymphoma.