

From the Desk of
Representative
Janeen Sollman

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Oregon State Fire Fighters Council urges your support of House Bill 4062

HB 4062 is a simple amendment to ORS 656.802(4), ensuring that this statute applies to Portland firefighters. This statute became law in 1961, creating a presumption for firefighters whereby “heart and lung” diseases (technically listed as “disease of the lungs or respiratory tract, hypertension or cardiovascular-renal disease”) are presumed to be covered as compensable conditions under Oregon workers’ compensation law.

The City of Portland, Bureau of Fire and all Portland firefighters are exempt from that law. Two other presumptions (cancer and PTSD) have become law in recent years and those new presumptions were specifically adopted by the legislature to include Portland firefighters. It is time to finally fix the original “heart and lung” presumption so that it will also cover Portland firefighters, the same way it covers all other professional firefighters in Oregon.

Why is HB 4062 needed:

In one word, fairness. The legislature should fix a law that has become ineffective. Portland firefighters should have the same coverage for “heart and lung” diseases as all other professional firefighters in Oregon. Until recent years, the Portland City Charter has had a “presumption” for firefighters to cover heart disease; that City Charter presumption is worded differently than the presumption in ORS 656.802(4) but it was nevertheless being applied by FPDR (Fire & Police Disability & Retirement) such that Portland firefighters with claims for heart and lung disease were covered. The application of the Charter presumption has now been challenged by FPDR with rulings by the Office of Administrative Hearings which renders the Charter presumption ineffective.

With the proposed amendment to ORS 656.802(4), the “heart and lung” presumption which covers all other professional firefighters in Oregon, and which remains an effective presumption for these firefighters, would apply to Portland.

For Questions, Please Contact:

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