

HB 2915 A STAFF MEASURE SUMMARY

Carrier: Rep. Grayber

House Committee On Business and Labor

Action Date: 03/08/21

Action: Do pass with amendments. (Printed A-Eng.)

Vote: 11-0-0-0

Yeas: 11 - Bonham, Boshart Davis, Breese-Iverson, Bynum, Clem, Evans, Fahey, Grayber, Holvey, Post, Witt

Fiscal: Has minimal fiscal impact

Revenue: No revenue impact

Prepared By: Jan Nordlund, LPRO Analyst

Meeting Dates: 2/8, 3/8

WHAT THE MEASURE DOES:

Requires city that provides police and firefighter disability and retirement system by ordinance or charter to presume that heart and lung diseases are compensable occupational diseases that are a result of a firefighter's employment of five or more years. Applies same conditions, time limitations, and claims acceptance criteria on such claims as already exist for firefighters in political divisions already subject to the presumption. Applies to claims made after effective date. Declares emergency, effective on passage.

ISSUES DISCUSSED:

- Reason for including an emergency clause
- Effects only firefighters covered by the Portland Fire and Police Disability Retirement plan

EFFECT OF AMENDMENT:

Removes reference to police officers. Applies to claims made after effective date. Declares emergency, effective on passage.

BACKGROUND:

All workers in Oregon are presumed to be subject to the state's workers' compensation laws unless otherwise exempt. An exemption is provided for firefighters and police employees of cities exceeding 200,000 in population that provide a disability and retirement system by ordinance or charter. Police and firefighters covered by the Portland Fire and Police Disability and Retirement System are thus exempt from workers' compensation statutes except when specifically included.

Certain cancers are presumed to be a compensable occupational disease for non-volunteer firefighters who have been on the job at least five years. This applies to all firefighters, including those covered under the Portland Fire and Police Disability and Retirement System. Any death, disability, or impairment resulting from post-traumatic stress disorder and acute stress disorder are presumed to be a compensable occupational disease for specified emergency first responders, including police and firefighters covered by the Portland Fire and Police Disability and Retirement System. Certain heart and lung conditions are presumed to be compensable occupational diseases for firefighters who have been on the job at least five years, but this presumption does not apply to firefighters covered by the Portland Fire and Police Disability and Retirement System.

House Bill 2915 A extends to Portland firefighters the presumption that death, disability, or impairment caused by heart or lung disease is a compensable occupational disease.