

2017 Regular Session

SENATE BILL NO. 63

BY SENATORS GATTI, BISHOP AND CARTER

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

EMPLOYMENT. Provides for the classification of certain types of cancer as an occupational disease or infirmity connected with the duties of a firefighter. (8/1/17)

1 AN ACT

2 To amend and reenact R.S. 33:2011(A) and (B), relative to occupational diseases; to provide  
3 with respect to the firefighters; to provide for the classification of certain types of  
4 cancer as occupational diseases or infirmities connected with the duties of a  
5 firefighter; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 33:2011(A) and (B) are hereby amended and reenacted to read as  
8 follows:

9 §2011. Development of cancer during employment in fire service; occupational  
10 disease

11 A. Because of exposure to heat, smoke, and fumes or carcinogenic,  
12 poisonous, toxic, or chemical substances, when a firefighter in the classified service  
13 who has completed ten or more years of service is unable to perform his regular  
14 duties in the fire service in this state by reason of a ~~disabling~~ cancer, such cancer  
15 shall be classified as an occupational disease or infirmity connected with the duties  
16 of a firefighter. The disease or infirmity shall be presumed to have been caused by  
17 or to have resulted from the work performed. This presumption shall be rebuttable

1 by evidence meeting judicial standards, and shall be extended to a member following  
 2 termination of service for a period of three months for each full year of service not  
 3 to exceed sixty months commencing with the last actual date of service.

4 B. The ~~disabling~~ cancer referred to in Subsection A shall be limited to the  
 5 types of cancer which may be caused by exposure to heat, smoke, radiation, or a  
 6 known or suspected carcinogen as defined by the International Agency for Research  
 7 on Cancer. The ~~disabling~~ cancer shall also be limited to a cancer originating in the  
 8 bladder, brain, colon, liver, pancreas, skin, kidney, or gastrointestinal or  
 9 reproductive tract, and leukemia, lymphoma, ~~and~~ multiple myeloma, prostate  
 10 cancer, and testicular cancer, or any other type of cancer, due to occupational  
 11 exposure, for which firefighters are determined to have a statistically significant  
 12 increased risk over that of the general population.

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The original instrument was prepared by Carla S. Roberts. The following digest, which does not constitute a part of the legislative instrument, was prepared by Tammy Crain-Waldrop.

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DIGEST

SB 63 Reengrossed                      2017 Regular Session                      Gatti

Present law classifies certain types of cancer as occupational diseases or infirmities connected with the duties of a firefighter.

Present law provides that cancers are included in the occupational diseases connected with the duties of a firefighter, but limits cancer to those disabling cancers originating in the bladder, brain, colon, liver, pancreas, skin, kidney, or gastrointestinal or tract, and leukemia, lymphoma, and multiple myeloma.

Proposed law retains present law and further provides that prostate cancer, testicular cancer, a cancer originating in the reproductive tract, are cancers which are to be included as an occupational disease category for firefighters.

Proposed law removes the requirement that the cancer be disabling or any other type of cancer, due to occupational exposure, for which firefighters are determined to have a statistically significant increased risk over that of the general population.

Effective August 1, 2017.

(Amends R.S. 33:2011(A) and (B))

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Labor and Industrial Relations to the original bill

1. Removes the requirement that the cancer be disabling.

Senate Floor Amendments to engrossed bill

1. Adds cancers to those cancers that are included in the occupational diseases connected with the duties of a firefighter.