

2022 Regular Session

HOUSE BILL NO. 854

BY REPRESENTATIVES STAGNI AND MAGEE

CIVIL SERVICE/FIRE & POL: Provides relative to occupational diseases for members in the classified fire service

1 AN ACT

2 To amend and reenact R.S. 33:2011(A), relative to occupational diseases; provides relative
3 to members employed in the classified fire service; to provide for an extension to the
4 rebuttable presumption; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 33:2011(A) is hereby amended and reenacted to read as follows:

7 §2011. Development of cancer during employment in fire service; occupational
8 disease

9 A. Because of exposure to heat, smoke, and fumes or carcinogenic,
10 poisonous, toxic, or chemical substances, when a firefighter in the classified service
11 who has completed ten or more years of service has developed cancer, the cancer
12 shall be classified as an occupational disease or infirmity connected with the duties
13 of a firefighter. The disease or infirmity shall be presumed to have been caused by
14 or to have resulted from the work performed. This presumption shall be rebuttable
15 by evidence meeting judicial standards, and shall be extended to a member following
16 termination of service for a period of ~~three~~ six months for each full year of service,
17 not to exceed ~~sixty~~ one hundred eighty months, commencing with the last actual date
18 of service.

19 * * *

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 854 Original

2022 Regular Session

Stagni

Abstract: Provides relative to occupational diseases for members in the classified fire services in connection with the duties of being a firefighter.

Present law provides that when a firefighter, who is in the classified fire service and has completed 10 or more years of service, has developed cancer because of certain occupational exposures in connection with the duties of being a firefighter, the cancer shall be classified as an occupational disease or infirmity.

Present law further provides that the disease or infirmity shall be presumed to have been caused by or to have resulted from the work performed.

Proposed law retains present law.

Present law provides for a rebuttable presumption that must meet judicial standards. Present law further provides that this presumption shall be extended to a member following termination of service for a period of three months for each full year of service not to exceed sixty months.

Proposed law retains present law regarding the rebuttable presumption; however, it extends the presumption to a period of six months for each full year of service not to exceed one hundred eighty months.

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