

1 TO THE HOUSE OF REPRESENTATIVES:

2 The Committee on Commerce and Economic Development to which was
3 referred Senate Bill No. 73 entitled “An act relating to workers’ compensation
4 coverage for firefighters with cancer” respectfully reports that it has considered
5 the same and recommends that the House propose to the Senate that the bill be
6 amended by striking out Secs. 2 and 3 in their entirety and inserting in lieu
7 thereof Secs. 2, 3, and 4 to read as follows:

8 Sec. 2. ANNUAL CANCER SCREENINGS; PERSONAL PROTECTIVE
9 EQUIPMENT UPGRADES; REPORT

10 (a) On or before January 15, 2024, the Director of the Division of Fire
11 Safety shall submit a written report to the House Committees on
12 Appropriations, on Commerce and Economic Development, and on
13 Government Operations and Military Affairs and the Senate Committees on
14 Appropriations; on Economic Development, Housing and General Affairs; and
15 on Government Operations regarding the following topics:

16 (1) the projected cost for the State to fund annual or biennial cancer
17 screenings for all career and volunteer firefighters in Vermont;

18 (2) the projected cost for the State to fund cancer screenings for all
19 enrollees in the Vermont Fire Academy Firefighter I certification program
20 prior to the commencement of training;

21 (3) potential opportunities for the State to reduce the cost for fire

1 departments to provide annual cancer screenings for their firefighters;

2 (4) the projected cost for the State to fund the replacement of personal
3 protective equipment for all volunteer and career firefighters on a rolling basis
4 so that all personal protective equipment is replaced within 10 years after being
5 acquired; and

6 (5) potential opportunities for the State to reduce the cost to fire
7 departments for the replacement of personal protective equipment.

8 (b) The report may include recommendations for legislative action to
9 facilitate:

10 (1) the early identification of cancer in firefighters;

11 (2) the acquisition of personal protective equipment by fire departments;

12 and

13 (3) the elimination of PFAS and other carcinogens in firefighting
14 equipment.

15 **Sec. 3. WORKERS' COMPENSATION FOR FIREFIGHTERS WITH**

16 **CANCER; ELIGIBILITY;**

17 **(a) On or before January 15, 2024, the Commissioners of Labor and of**
18 **Financial Regulation, in consultation with the Director of the Division of Fire**
19 **Safety, shall submit a written report to the House Committee on Commerce**
20 **and Economic Development and the Senate Committee on Economic**
21 **Development, Housing and General Affairs regarding the following topics:**

1 (1) the potential impacts on workers' compensation claims, premiums,
2 and loss costs of amending or repealing the provisions of 21 V.S.A.
3 § 601(11)(E) that bar a firefighter from the presumption that the firefighter's
4 cancer resulted from work-related exposure if the firefighter:

5 (A) is over 65 years of age; or

6 (B) has used tobacco products within the last 10 years;

7 (2) the potential impacts on workers' compensation claims, premiums,
8 and loss costs of amending 21 V.S.A. § 601(11)(E)(iii) to expand the list of
9 cancers presumed to have been caused by exposure to working conditions as a
10 firefighter to include either:

11 (A) additional specific cancers for which firefighters have a
12 significantly increased risk in comparison to the general public; or

13 (B) all forms of cancer; and

14 (3) potential methods for apportioning liability for workers'
15 compensation in instances where a firefighter has been employed by more than
16 one fire department, including when a firefighter is employed as a career
17 firefighter by one department and a volunteer firefighter by another
18 department.

19 (b) In evaluating potential impacts on workers' compensation claims,
20 premiums, and loss costs pursuant to subdivisions (1) and (2) of subsection (a)
21 of this section, the Commissioners of Labor and of Financial Regulation shall

- 1 consult with the National Council on Compensation Insurance.
- 2 (c) The report may include recommendations for legislative action to:
- 3 (1) amend or repeal the provisions of 21 V.S.A. § 601(11)(E) that bar a
- 4 firefighter from the presumption that the firefighter’s cancer resulted from
- 5 work-related exposure if the firefighter is over 65 years of age or has used
- 6 tobacco products within the last 10 years; and
- 7 (2) amend 21 V.S.A. § 601(11)(E)(iii) to expand the list of cancers
- 8 presumed to have been caused by exposure to working conditions as a
- 9 firefighter to include either:
- 10 (A) additional specific cancers for which firefighters have a
- 11 significantly increased risk in comparison to the general public; or
- 12 (B) all forms of cancer.

13 **Sec. 4. EFFECTIVE DATE**

14 This act shall take effect on July 1, 2023.

18 (Committee vote: _____)

19 _____

20 Representative _____

21 FOR THE COMMITTEE