

Senate Fiscal Agency  
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**SFA****BILL ANALYSIS**

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Senate Bill 451 (as introduced 3-18-99)  
Sponsor: Senator Mike Rogers  
Committee: Human Resources, Labor, Senior Citizens and Veterans Affairs

Date Completed: 9-29-99

### **CONTENT**

The bill would amend the Worker's Disability Compensation Act to include all respiratory tract, bladder, skin, brain, kidney, blood, and lymphatic cancers in the term "personal injury" for members of fully paid fire departments employed 24 months or more. Respiratory tract, bladder, skin, brain, kidney, blood, and lymphatic cancers of a member of a fully paid fire department, however, would not be considered to arise out of and in the course of employment if evidence showed that the member was a consistent smoker of cigarettes or other tobacco products within five years immediately before filing a claim under the Act.

Currently, "personal injury" includes respiratory and heart diseases or resulting illnesses that develop or manifest themselves while a member of a fully paid fire department or police department is in active service and that result from the duties performed for the department. Such respiratory and heart diseases or illnesses are considered to arise out of and in the course of employment, unless there is contrary evidence.

In addition, the bill would require the Bureau of Worker's Disability Compensation to research the financial and procedural implications of applying a cancer presumption to volunteer fire fighters. The study would have to include a description of amendments to the Act that would be necessary to apply a cancer presumption on an equal basis to all classifications of fire fighters. The Bureau would have to provide the report to the chairs and vice-chairs of the Senate Human Resources, Labor and Veterans Affairs Committee and the House Labor and Occupational Safety Committee by June 30, 2000.

MCL 418.405

Legislative Analyst: P. Affholter

### **FISCAL IMPACT**

The bill would require the Department of Consumer and Industry Services to conduct a study on cancer presumption for fire fighters. According to the Department, if it contracted with an outside consulting firm to provide this service, the estimated cost could be \$150,000 to \$200,000.

Also, the bill could have a fiscal impact on local governments. The bill would eliminate coverage for specific cancer and illnesses for those members of a fully paid fire department where it was proven that an individual was a consistent smoker for five years before filing the claim. This change could lower worker's compensation claim costs for the local fire departments if the premiums for this insurance were lowered as a result of this condition.

Fiscal Analyst: M. Tyszkiewicz

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