



Governor Kasich passes firefighter cancer bill

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Last week, Governor Kasich signed Senate Bill 27, the “firefighter cancer bill,” into law, making it possible for firefighters with cancer to receive workers’ compensation benefits. The bill presumes that a firefighter who develops cancer contracted the disease while performing their duties as a firefighter for workers’ compensation purposes.

Prior to the passage of this bill, Ohio was one of 13 states that did not cover treatment for firefighters with cancer through workers’ compensation benefits. Proponents of the bill contend that firefighters are exposed to toxic chemicals that penetrate their gear and absorb into their skin. According to the State Directory of Firefighter Cancer Support Network, one firefighter in Ohio is diagnosed with cancer every week.

The presumptive status applies to a member of the Ohio police and fire pension fund who:

- is a member of a fire department;
- has been assigned to at least six years of hazardous duty as a member of a fire department;
- is disabled as a result of cancer; and
- was exposed to an agent classified by the international agency for research on cancer or its successor agency as a group 1 or group 2A carcinogen.

However, there are defenses to the presumption, and cancer may not be presumed if any of the following apply:

- evidence of cancer prior to becoming a member of the fire department;
- evidence of an extremely high risk for the development of cancer outside the member’s work as a firefighter;

- evidence that the individual was not exposed to an agent classified by the International Agency for Research on Cancer (IARC) for research on cancer or its successor agency as a group 1 or 2A carcinogen;
- the individual is over age 70; or
- more than 20 years has passed since the individual was last assigned to hazardous duty as a member of the fire department.

Cities, towns and municipalities should not only be aware of this new law, but should investigate how it applies to their firefighters.

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