

JAN 18 2024

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# A BILL FOR AN ACT

RELATING TO WORKERS' COMPENSATION MEDICAL BENEFITS.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1           SECTION 1. The legislature finds that firefighters may be  
2 exposed in the course of their duties to contaminants that are  
3 known or suspected to cause cancer. Although fire departments  
4 are expected to use the best available equipment and risk  
5 management practices to reduce a firefighter's exposure to  
6 contaminants, some house fires and vehicle fires release highly  
7 concentrated toxicants from burning plastics and other  
8 synthetics, so some exposure may be unavoidable. In October  
9 2013, researchers from the National Institute of Occupational  
10 Safety and Health found that firefighters have a higher risk of  
11 cancer than the general population. A published study looked at  
12 cancer diagnoses and deaths among more than thirty-thousand  
13 firefighters from fire departments in Chicago, Philadelphia, and  
14 San Francisco. The study found that cancers of the respiratory,  
15 digestive, and urinary systems were common. A 2006 study from  
16 the University of Cincinnati reached similar conclusions.



1           The legislature further finds that a task force convened  
2 pursuant to House Concurrent Resolution No. 32, 2016, to examine  
3 the risks of cancer among firefighters found that some states,  
4 including Arizona, California, Nevada, North Dakota, and  
5 Virginia, have enacted legislation providing special benefit  
6 programs for firefighters who have been diagnosed with cancer.  
7 The benefit programs recognize that firefighters assume  
8 significant occupational risks while performing an essential  
9 public service. By providing sufficient workers' compensation  
10 coverage for firefighters, states can help ensure that  
11 firefighters receive timely and appropriate medical treatment  
12 and can help ease the emotional and financial burdens for  
13 firefighters and their families if the firefighter is diagnosed  
14 with cancer.

15           The legislature recognizes that female firefighters may be  
16 at increased risk of breast, cervical, and uterine cancers. In  
17 April 2023, the National Library for Medicine highlighted a  
18 study published in Public Health regarding the occurrence of  
19 cancer in female firefighters. The study found that female  
20 firefighters may develop a wide variety of cancers and may  
21 develop them at an earlier age than most other women. These



1 findings illustrate the need to provide broad and presumptive  
2 medical coverage for female firefighters who have become ill.

3 Accordingly, the purpose of this Act is to improve female  
4 firefighters' access to comprehensive medical coverage by  
5 expanding workers' compensation medical benefits for  
6 firefighters to include coverage for breast cancer and cancer of  
7 the female reproductive organs.

8 SECTION 2. Section 386-21.9, Hawaii Revised Statutes, is  
9 amended to read as follows:

10 "[+]§386-21.9[+] Medical care, services, and supplies for  
11 firefighters suffering from cancer. If a claim for leukemia,  
12 multiple myeloma, non-Hodgkin lymphoma, or cancer of the lung,  
13 brain, stomach, esophagus, intestines, rectum, kidney, bladder,  
14 prostate, breast, female reproductive organs, or testes filed by  
15 an employee with five or more years of service as a firefighter  
16 is accepted or determined to be compensable, section 386-21  
17 shall remain applicable; provided that the employer shall be  
18 liable for medical care, services, and supplies for a minimum of  
19 one hundred ten per cent, and not to exceed one hundred fifty  
20 per cent of fees prescribed in the Medicare Resource Based



1 Relative Value Scale applicable to Hawaii as prepared by the  
2 United States Department of Health and Human Services."

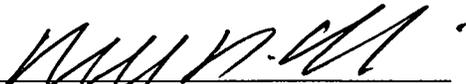
3 SECTION 3. This Act does not affect rights and duties that  
4 matured, penalties that were incurred, and proceedings that were  
5 begun before its effective date.

6 SECTION 4. Statutory material to be repealed is bracketed  
7 and stricken. New statutory material is underscored.

8 SECTION 5. This Act shall take effect upon its approval.

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INTRODUCED BY:

  
By Request



# S.B. NO. 2231

**Report Title:**

Hawaii State Fire Council Package; Cancer; Firefighters;  
Workers' Compensation Medical Benefits

**Description:**

Expands workers' compensation medical benefits for firefighters to include coverage for breast cancer and cancer of the female reproductive organs.

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