

STAND. COM. REP. NO. 879

Honolulu, Hawaii

MAR 06 2015

RE: S.B. No. 675
S.D. 2

Honorable Donna Mercado Kim
President of the Senate
Twenty-Eighth State Legislature
Regular Session of 2015
State of Hawaii

Madam:

Your Committee on Ways and Means, to which was referred S.B. No. 675, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO FIREFIGHTERS,"

begs leave to report as follows:

The purpose and intent of this measure is to improve medical coverage for firefighters.

More specifically, this measure:

- (1) Provides firefighters with comprehensive medical coverage through workers compensation benefits by establishing a rebuttable presumption that a firefighter who suffers from cancer, a blood-borne infectious disease, or exposure to biochemical substances, contracted the condition in the course of employment; and
- (2) Requires the State Fire Council to develop standards and procedures to ensure the health and safety of firefighters and first responders who may be exposed to hazardous materials or situations in the course of their duties.

Your Committee received written comments in support of this measure from the Hawaii Fire Fighters Association and State of Hawaii Organization of Police Officers. Your Committee received written comments in opposition to this measure from the Hawaii



Insurers Council. Your Committee received written comments on this measure from the Department of Human Resources Development, Department of Labor and Industrial Relations, State Fire Council, City and County of Honolulu, County of Hawaii Fire Department, Honolulu Fire Department, and Maui Fire Department.

Your Committee finds that studies have been done showing firefighters face a significantly higher risk of being diagnosed with cancer than the general public. Your Committee further finds that establishing a rebuttable presumption that a firefighter's cancer, blood-borne infectious disease, or exposure to biochemical substances was contracted in the course of employment will help ensure that firefighters receive proper care under the workers compensation system.

Your Committee notes that the measure requires the Labor and Industrial Relations Appeals Board to find in accordance with this presumption, unless the presumption is rebutted by the evidence. However, your Committee also notes that claims are first adjudicated by the Disability Compensation Division, rather than the Labor and Industrial Relations Appeals Board.

Accordingly, your Committee has amended this measure by:

- (1) Deleting the provision that incorrectly references the Labor and Industrial Relations Appeals Board;
- (2) Changing the effective date to July 1, 2050, to facilitate further discussion on the measure; and
- (3) Making technical nonsubstantive amendments for the purposes of consistency and clarity.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 675, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 675, S.D. 2.



Respectfully submitted on
behalf of the members of the
Committee on Ways and Means,

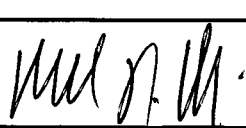


JILL N. TOKUDA, Chair



The Senate
Twenty-Eighth Legislature
State of Hawai'i

Record of Votes
Committee on Ways and Means
WAM

Bill / Resolution No.:* <div style="font-size: 1.2em; font-family: cursive;">SB675 SD1</div>	Committee Referral: <div style="font-size: 1.2em; font-family: cursive;">HHE/JDL/PSM, WAM</div>	Date: <div style="font-size: 1.2em; font-family: cursive;">3/2/15</div>		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <div style="display: flex; justify-content: space-between; align-items: flex-start;"> <div style="text-align: center;"> <input type="checkbox"/> Pass, unamended 2312 </div> <div style="text-align: center;"> <input checked="" type="checkbox"/> Pass, with amendments 2311 </div> <div style="text-align: center;"> <input type="checkbox"/> Hold 2310 </div> <div style="text-align: center;"> <input type="checkbox"/> Recommit 2313 </div> </div>				
Members	Aye	Aye (WR)	Nay	Excused
TOKUDA, Jill N. (C)	✓			
KOUCHI, Ronald D. (VC)	✓			
CHUN OAKLAND, Suzanne	✓			
DELA CRUZ, Donovan M.	✓			
ENGLISH, J. Kalani	✓			
GALUTERIA, Brickwood	✓			
HARIMOTO, Breene	✓			
INOUE, Lorraine R.	✓			
RIVIERE, Gil	✓			
RUDERMAN, Russell E.	✓			
SLOM, Sam	✓			
TOTAL	11	0	0	0
Recommendation: <div style="display: flex; justify-content: space-around; margin-top: 5px;"> <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted </div>				
Chair's or Designee's Signature: <div style="font-size: 1.5em; font-family: cursive; margin-left: 100px;">  </div>				
Distribution: <div style="display: flex; justify-content: space-between; font-size: 0.8em;"> <div>Original File with Committee Report</div> <div>Yellow Clerk's Office</div> <div>Pink Drafting Agency</div> <div>Goldenrod Committee File Copy</div> </div>				

*Only one measure per Record of Votes