

**STATE OF HAWAII
DEPARTMENT OF HEALTH**

P. O. Box 3378
Honolulu, HI 96801-3378
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**Testimony Offering Comments for HCR0032, HD1
REQUESTING THE CONVENING OF A TASK FORCE TO EXAMINE
CANCER IN THE FIREFIGHTING PROFESSION**

**REPRESENTATIVE ANGUS L.K. MCKELVEY
HOUSE COMMITTEE ON CONSUMER PROTECTION & COMMERCE**

Hearing Date: April 4, 2016

Room Number: 325

1 **Fiscal Implications:** None.

2 **Department Testimony:** Firefighters are potentially exposed to various mixtures of
3 particulates, gases, mists, and fumes of an organic and/or inorganic nature that may have acute,
4 toxic and carcinogenic effects. There are nearly 2,000 state and county firefighters in nearly 100
5 fire stations throughout Hawaii, and for some, the long-term health consequences of workplace
6 exposure to harmful toxicants may only become apparent after retirement. Studies conducted on
7 occupational risk indicates potential increased risk for cancer among firefighters. The
8 Department of Health is willing to participate in a proposed Task Force to examine issues
9 relating to cancer risks for the firefighting profession in Hawaii.

10 Thank you for the opportunity to testify.

DAVID Y. IGE
GOVERNOR

SHAN S. TSUTSUI
LIEUTENANT GOVERNOR



LINDA CHU TAKAYAMA
DIRECTOR

LEONARD HOSHIJO
DEPUTY DIRECTOR

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April 1, 2016

The Honorable Angus McKelvey, Chair
Committee on Consumer Protection and
Commerce
House of Representatives
State Capitol, Room 320
Honolulu, Hawaii 96813

Dear Chair McKelvey:

Subject: House Concurrent Resolution (HCR) 32, House Draft (HD) 1 Requesting the
Convening of a Task Force to Examine Cancer in the Firefighting Profession

I am Manuel P. Neves, Chair of the Hawaii State Fire Council (SFC) and Fire Chief of the Honolulu Fire Department (HFD). The SFC and the HFD strongly support HCR 32, HD 1, which proposes to form a Firefighter Cancer Presumptive Task Force to develop recommendations for enactment of a cancer presumptive statute relating specifically to fire fighters. We respectfully suggest that the Fire Chiefs or their designee from each county be added to the task force.

We believe it is imperative that each county fire department is represented through the SFC, as the health and safety of fire personnel are high priorities for each fire department. Other named task force participants will contribute to a better understanding of the various challenges related to this important issue.

The SFC and the HFD strongly urge your committee's passage of HCR 32, HD 1.

Should you have questions, please contact SFC Administrator Socrates Bratakos at 723-7105 or sbratakos@honolulu.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read "M. Neves", written over a horizontal line.

MANUEL P. NEVES
Chair

MPN/EYS:clc



UNIVERSITY OF HAWAII SYSTEM

Legislative Testimony

Written Testimony Presented Before the
House Committee on Consumer Protection and Commerce
Monday, April 4, 2016 at 2:00 p.m.

By

Robert Bley-Vroman, Chancellor

and

Jerris Hedges, MD, MS, MMM

Dean, John A. Burns School of Medicine

Interim Director, University of Hawai'i Cancer Center

University of Hawai'i at Mānoa

HCR 32 HD1 – REQUESTING THE CONVENING OF A TASK FORCE TO EXAMINE CANCER IN THE FIREFIGHTING PROFESSION

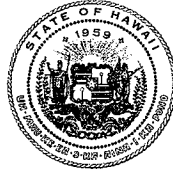
Chair McKelvey, Vice Chair Woodson, and Members of the Committee:

The University of Hawai'i provides the following comments regarding this resolution.

The UH Cancer Center's mission is to reduce the burden of cancer through research, education, and patient care with an emphasis on the unique ethnic, cultural, and environmental characteristics of Hawai'i and the Pacific. The UH Cancer Center is one of only 69 institutions in the United States that hold the prestigious National Cancer Institute (NCI) designation, and the only NCI-designated center in the Pacific. The NCI designation provides cancer researchers in Hawai'i with greater access to federal funding and research opportunities, and gives the people of Hawai'i and the Pacific region access to many innovative and potentially life-saving clinical trials without the necessity of traveling to the mainland.

Our perspective on health-related legislative matters is informed by scientific literature, including research conducted by our own faculty. We appreciate the opportunity to participate in the proposed task force.

DAVID Y. IGE
GOVERNOR



THOMAS WILLIAMS
EXECUTIVE DIRECTOR

KANOE MARGOL
DEPUTY EXECUTIVE DIRECTOR

**STATE OF HAWAII
EMPLOYEES' RETIREMENT SYSTEM**

**TESTIMONY BY THOMAS WILLIAMS
EXECUTIVE DIRECTOR, EMPLOYEES' RETIREMENT SYSTEM
STATE OF HAWAII**

**TO THE HOUSE COMMITTEE ON CONSUMER PROTECTION & COMMERCE
ON**

HOUSE CONCURRENT RESOLUTION NO. 32 H.D. 1

APRIL 4, 2016, 2:00 P.M.

**REQUESTING THE CONVENING OF A TASK FORCE TO EXAMINE CANCER IN THE
FIREFIGHTING PROFESSION**

Chair McKelvey, Vice Chair Woodson, and Members of the Committee,

HCR 32 H.D. 1 would establish a task force to examine the issues related to cancer in the firefighting profession. The task force will include, amongst others, a representative of the Employees' Retirement System (ERS). One of its main objectives is to provide recommendations for revisions to the state workers' compensation laws, administrative rules and benefits for firefighters diagnosed with cancer.

As the ERS does not have a role in workers' compensation determinations, the ERS staff has no position on this resolution. To the extent our involvement in the proposed task force would be beneficial we would gladly participate.

An ancillary connection between workers' compensation and ERS benefits may be that ERS members are required to file for workers' compensation in order to submit a claim for ERS service-connected disability benefits. The approval of workers' compensation benefits, however, does not guarantee that a member will be approved for service-connected disability retirement and does not currently have any impact on the outcome of the disability application. Disability cases, including service connected disabilities, are reviewed by the ERS Medical Board which consists of three physicians. Recommendations by the Medical Board to the ERS Board of Trustees (Board) are based on medical records, reports and interviews with the



Employees' Retirement System
of the State of Hawaii

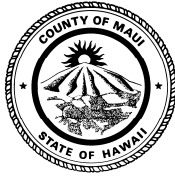
claimant. Upon review, the Board may decide to approve, deny or remand Medical Board recommendations.

Section 88-79, HRS, provides for service-connected disability benefits for a member who is permanently incapacitated for duty as the natural and proximate result of an accident occurring while in the actual performance of duty or as the cumulative result of an occupational hazard. This section already includes a rebuttable presumption that firefighters, police officers and sewer workers who are permanently incapacitated for duty as a result of any disease of the heart, lungs, or respiratory system, contracted such disease while in the performance of duty and as the result of the inherent occupational hazard of exposure to smoke inhalation, toxic gases, chemical fumes, and other toxic vapors.

These benefits are typically higher than regular retirement benefits and have no minimum age or service requirements. As a word of caution, should the task force recommend legislation to obtain higher ERS benefits with additional cancer presumptive causes, the task force's mandate could result in the enhancement of benefits. This would be contrary to Act 29, Session Laws of Hawaii 2011, which placed a moratorium on retirement benefit enhancements until the ERS becomes fully funded. Any benefit enhancement would increase the ERS' existing \$8.7 billion unfunded liability and possibly require an increase in employer contributions.

Thank you for the opportunity to provide testimony on this resolution.

ALAN M ARAKAWA
MAYOR



JEFFREY MURRAY
FIRE CHIEF

ROBERT SHIMADA
DEPUTY FIRE CHIEF

COUNTY OF MAUI
DEPARTMENT OF FIRE & PUBLIC SAFETY

200 DAIRY ROAD
KAHULUI, HI 96732
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April 1, 2016

The Honorable Angus McKelvey, Chair
Committee on Consumer Protection and
Commerce
House of Representatives
State Capitol, Room 320
Honolulu, Hawaii 96813

Dear Chair McKelvey:

Subject: House Concurrent Resolution (HCR) 32, House Draft (HD) 1 Requesting the
Convening of a Task Force to Examine Cancer in the Firefighting Profession

I am Jeffrey A. Murray, Member of the Hawaii State Fire Council (SFC) and Fire Chief of the Maui Fire Department (MFD). The SFC and the MFD strongly support HCR 32, HD 1, which proposes to form a Firefighter Cancer Presumptive Task Force to develop recommendations for enactment of a cancer presumptive statute relating specifically to fire fighters. We respectfully suggest that the Fire Chiefs or their designee from each county be added to the task force.

We believe it is imperative that each county fire department is represented through the SFC, as the health and safety of fire personnel are high priorities for each fire department. Other named task force participants will contribute to a better understanding of the various challenges related to this important issue.

The SFC and the MFD strongly urge your committee's passage of HCR 32, HD1.

Should you have any questions, please contact me at (808) 270-7561.

Sincerely,

A handwritten signature in black ink, appearing to read "Jeffrey A. Murray", is written over a horizontal line.

JEFFREY A. MURRAY
Fire Chief



HAWAII FIRE FIGHTERS ASSOCIATION

INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS LOCAL 1463, AFL-CIO

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HOUSE OF REPRESENTATIVES
THE TWENTY-EIGHTH LEGISLATURE
REGULAR SESSION OF 2016

APRIL 4, 2016

Committee on Consumer Protection and Commerce

Testimony by
Hawaii Fire Fighters Association, Local 1463

**HCR 32 HD1 REQUESTING THE CONVENING OF A TASK FORCE TO EXAMINE CANCER
IN THE FIREFIGHTING PROFESSION**

My name is Robert H. Lee and I am the President of the Hawaii Fire Fighters Association (HFFA), Local 1463, IAFF, AFL-CIO. The HFFA represents approximately 2,100 active-duty professional fire fighters throughout the State. We **SUPPORT** HCR 32 HD1, as it relates to the convening of a task force to examine cancer in the firefighting profession.

Thirty-three states and eight Canadian provinces already have cancer presumptive laws that provide fire fighters with medical and service-connected disability benefits. Several studies, as recommended by the International Association of Fire Fighters (IAFF), serve as the basis that demonstrates the growing need for cancer presumptive legislation locally. In addition, despite our fire departments' efforts in improving procedures for cleaning the protective clothing and breathing apparatus, fire fighters are still exposed to carcinogens and toxicants while performing their duties as a study administered in 2014 entitled "Systemic Exposure to PAHs and Benzene in Firefighters Suppressing Controlled Structure Fires" have recently discovered. Such exposure to these carcinogens and toxicants during a fire fighter's career may not result in immediate manifestation of symptoms or cancer diagnosis but instead, years after retirement.

HCR 32 HD1 requests the convening of a task force that will examine the issues and make recommendations based on their findings relating to cancer in the firefighting profession. With the ever-increasing number in statistics through research conducted by legitimate, prominent organizations and researchers relating to the risk of cancer as well as infectious diseases and illnesses associated with exposure to patient care and biochemical substances for fire fighters in comparison to the general population, it is important that discussion begins.

HFFA appreciates the Committee's favorable consideration of this measure and ask that you pass HCR 32 HD1.

From: mailinglist@capitol.hawaii.gov
Sent: Sunday, April 03, 2016 1:58 PM
To: CPCtestimony
Cc: davidnakao@yahoo.com
Subject: Submitted testimony for HCR32 on Apr 4, 2016 14:00PM

HCR32

Submitted on: 4/3/2016

Testimony for CPC on Apr 4, 2016 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
David Nakao	Individual	Comments Only	No

Comments: I support this bill

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

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