

CS FOR HOUSE BILL NO. 204(L&C)

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTY-SECOND LEGISLATURE - FIRST SESSION

BY THE HOUSE LABOR AND COMMERCE COMMITTEE

Offered: 5/18/21

Referred: Rules

Sponsor(s): REPRESENTATIVES KAUFMAN, McCarty, Schrage, Shaw, Nelson

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to the presumption of compensability for a disability resulting from**
2 **certain cancers in firefighters."**

3 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

4 *** Section 1.** AS 23.30.121(b) is amended to read:

5 (b) For a firefighter covered under AS 23.30.243,

6 (1) there is a presumption that a claim for compensation for disability
7 as a result of the following diseases is within the provisions of this chapter:

8 (A) respiratory disease;

9 (B) cardiovascular events that are experienced within 72 hours
10 after exposure to smoke, fumes, or toxic substances; and

11 (C) the following cancers:

12 (i) primary brain cancer;

13 (ii) malignant melanoma;

14 (iii) leukemia;

- 1 (iv) non-Hodgkin's lymphoma;
 2 (v) bladder cancer;
 3 (vi) ureter cancer;
 4 (vii) kidney cancer; [AND]
 5 (viii) prostate cancer; **and**
 6 **(ix) breast cancer;**

7 (2) notwithstanding AS 23.30.100(a), following termination of service,
 8 the presumption established in (1) of this subsection extends to the firefighter for a
 9 period of three calendar months for each year of requisite service but may not extend
 10 more than 60 calendar months following the last date of employment;

11 (3) the presumption established in (1) of this subsection applies only to
 12 an active or former firefighter who has a disease described in (1) of this subsection
 13 that develops or manifests itself after the firefighter has served in the state for at least
 14 seven years and who

15 (A) was given a qualifying medical examination upon
 16 becoming a firefighter that did not show evidence of the disease;

17 (B) was given an annual medical exam during each of the first
 18 seven years of employment that did not show evidence of the disease; and

19 (C) with regard to diseases described in (1)(C) of this
 20 subsection, demonstrates that, while in the course of employment as a
 21 firefighter, the firefighter was exposed to a known carcinogen, as defined by
 22 the International Agency for Research on Cancer or the National Toxicology
 23 Program, and the carcinogen is associated with a disabling cancer.

24 * **Sec. 2.** AS 23.30.121(f) is amended to read:

25 (f) In this section, "firefighter" **means**

26 **(A) a person employed by a state or municipal fire**
 27 **department or who is a member of a volunteer fire department registered**
 28 **with the state fire marshal; or**

29 **(B) a person registered for purposes of workers'**
 30 **compensation with the state fire marshal as a member of a volunteer fire**
 31 **department** [HAS THE MEANING GIVEN IN AS 09.65.295].

1 * **Sec. 3.** The uncodified law of the State of Alaska is amended by adding a new section to
2 read:

3 **APPLICABILITY.** AS 23.30.121(b) and (f), as amended by this Act, apply to claims
4 made on or after the effective date of this Act.