

SB14-172

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Prime Sponsor(s):	Sen. Tochtrop; Newell		Senate Business, Labor, & Technology
	Rep. Kraft-Tharp	Fiscal Analyst:	Lauren Schreier (303-866-3523)

SHORT TITLE: FIREFIGHTER HEART CIRCULATORY MALFUNCTION BENEFITS

Fiscal Impact Summary*	FY 2014-2015	FY 2015-2016	
State Revenue			
State Expenditures			
FTE Position Change			
Appropriation Required: None.			

* This summary shows changes from current law under the bill for each fiscal year.

Summary of Legislation

The bill requires any municipality, special district, fire authority, or county improvement district (employer) employing one or more firefighters to provide benefits for heart and circulatory malfunctions. The employer may purchase accident insurance, self-insure, or participate in a self-insurance pool, or multi-employer health trust. Employers may also provide similar insurance for volunteer firefighters. The bill establishes the amounts of minimum benefit payments, which must increase proportionally and concurrently with any benefit increases provided by the Fire and Police Pension Association (FPPA).

Under the bill, employers must provide the following minimum benefits:

Table 1. Employer Provided Minimum Benefits Under SB 14-172				
Scenario	Amount of Benefits			
A medical exam reveals a firefighter has a heart and circulatory malfunction.	\$4,000 lump sum payment			
A firefighter makes an emergency room visit and is hospitalized for up to 48 hours for a heart and circulatory malfunction.	\$1,500 per week, for up to 7 weeks			
A firefighter makes an emergency room visit and is hospitalized for more than 48 hours for a heart and circulatory malfunction.	\$2,000 per week, for up to 25 weeks			
A firefighter has a heart and circulatory malfunction prohibiting the firefighter from returning to employment.	\$2,500 per week, for up to 80 weeks			

Table 1. Employer Provided Minimum Benefits Under SB 14-172 (Cont.)				
Scenario	Amount of Benefits			
A firefighter requires rehabilitative employment services for a heart and circulatory malfunction.	up to \$25,000 for services			
A firefighter incurs cosmetic disfigurement from a heart and circulatory malfunction.	\$10,000 lump sum payment			
A medical exam reveals a firefighter has a terminal heart and circulatory malfunction.	up to \$25,000 lump sum payment			

The maximum amount that can be paid to a firefighter as a result of a heart and circulatory malfunction is \$250,000. Eligible firefighters who smoked a tobacco product within the five years preceding the work event will have their overall benefits reduced by 25 percent.

In order to receive benefits a firefighter must:

- have had a recent medical examination that found no heart or circulatory malfunction present;
- be employed for at least five continuous years as a firefighter; and
- have experienced the heart and circulatory malfunction within 48 hours of a stressful or strenuous work event.

The bill does not prohibit a firefighter from receiving other benefits; however, benefits for heart and circulatory malfunction must be offset by any payments made under:

- workers' compensation;
- FPPA;
- social security or other qualified retirement plans; or
- as a part of any other employer-paid income benefit made as a result of heart and circulatory malfunction.

Background

Generally, cardiac-related illnesses as a result of a firefighter's typical job duties are not considered eligible claims under the Workers' Compensation Act of Colorado. On average, the Colorado Department of Labor and Employment (CDLE) receives 325 workers' compensation claims annually from firefighters regarding "lost time" on the job, meaning any period in which a firefighter must be out of work exceeding three days. The CLDE receives approximately five heart related workers' compensation claims each year.

At present, there are approximately 14,990 firefighters in Colorado and 5,669 are considered full-time, career firefighters. Roughly 65 percent of fire departments are operated by special districts, 12 percent by municipalities,13 percent by non-governmental volunteer fire departments, and the remaining 10 percent represent multiple fire authorities (industrial, private, tribal, or the federal Department of Defense).

Page 3 April 8, 2014

Local Government Impact

The bill presents an indeterminate, but potentially significant, fiscal impact on local governments. Employers would be responsible for maintaining insurance for all 5,669 full-time firefighters in the state. However, the actual percentage of full-time firefighters that would be eligible to receive benefits as a result of a heart or circulatory malfunction is unknown. The combined costs of providing accident insurance and making benefit payments to qualified firefighters will increase costs to local governments.

Effective Date

The bill takes effect on January 1, 2015.

State and Local Government Contacts

Counties	Municipalities
Labor	Corrections

Special Districts Natural Resources