



H.B. 323

124th General Assembly
(As Introduced)

Reps. Sykes, Key, Fessler, Allen, Strahorn, S. Smith, Woodard, D. Miller, Barnes, Beatty, Carano, Metelsky, Bocchieri, Otterman, Fedor, Perry, Oakar, Rhine

BILL SUMMARY

- Adds a presumption for the purposes of the laws governing workers' compensation and the Ohio Police and Fire Pension Fund, that a firefighter or emergency medical services worker who is disabled as a result of cancer or certain contagious or infectious diseases incurred the cancer or disease while performing official duties as a firefighter or emergency medical services worker.

CONTENT AND OPERATION

Ohio Police and Fire Pension Fund

For purposes of obtaining benefits under the laws that govern the Ohio Police and Fire Pension Fund, the bill adds that any firefighter who is a member of the fund and who is disabled as a result of cancer or a contagious or infectious disease specified in rule that was not revealed by the physical examination passed by the member upon entry into the department, is presumed to have incurred the disease while performing the member's official duties, unless the contrary is shown by competent evidence (sec. 742.38(D)(3)(b)).¹

¹ *The following diseases are specified as reasonably likely to be transmitted by air or blood during the normal course of an emergency medical worker's duties: Crimean-Congo hemorrhagic fever; Diphtheria; Ebola-marburg virus infection; Fifth disease (human parvovirus infection); Hansen's disease (leprosy); Acute or chronic infection with hepatitis B virus; Acute or chronic infection with hepatitis C virus; Infection with delta hepatitis virus; Human immunodeficiency virus (HIV) infection, including acquired immunodeficiency syndrome (AIDS) and AIDS-related illnesses; Infection with human t-lymphotropic virus (HTLV-1 and HTLV-2); Lassa fever; Leishmaniasis, visceral (Kala-Azar); Leptospirosis; Listeriosis pneumonia; Measles (rubeola); Meningococcal*

The bill does not affect existing qualifying criteria that a person may meet, without the benefit of the presumption added by the bill.

Workers' compensation

For the purposes of obtaining workers' compensation benefits, the bill adds the presumption, which may be refuted by affirmative evidence, that any contagious or infectious disease or cancer contracted by a firefighter or emergency medical services worker was contracted in the course of and arising out of the firefighter's or emergency medical services worker's employment.¹ The bill defines an emergency medical services worker as a person who holds a current, valid certificate to perform emergency medical services under the Emergency Medical Services Law (R.C. Chapter 4765., not in bill). (Sec. 4123.57(X).)

The bill does not affect existing qualifying criteria for workers' compensation benefits that a person may meet, without the benefit of the presumption added by the bill.

HISTORY

ACTION	DATE	JOURNAL ENTRY
Introduced	06-28-01	p. 794

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infection (neisseria meningitidis); Mumps (infectious parotitis); Pertussis (whooping cough); Pneumonic plague (yersinia pestis); Rabies; Rubella (German measles); Tuberculosis; Varicella (herpes zoster) infection, including chicken pox, disseminated varicella, varicella pneumonia, and shingles. (O.A.C. 3701-3-022.)