

2020 Regular Session

SENATE BILL NO. 370

BY SENATOR CARTER

WORKERS' COMPENSATION. Provides relative to workers' compensation benefits for hearing loss for classified fire service. (gov sig)

1 AN ACT  
2 To amend and reenact R.S. 33:2581.1(A), relative to workers' compensation; to provide  
3 relative to benefits for hearing loss for classified fire service employees; and to  
4 provide for related matters.  
5 Be it enacted by the Legislature of Louisiana:  
6 Section 1. R.S. 33:2581.1(A) is hereby amended and reenacted to read as follows:  
7 §2581.1. Development of hearing loss during employment in the classified fire  
8 service; occupational disease  
9 A. Any loss of hearing which is ten percent greater than that of the affected  
10 employee's comparable age group in the general population and which develops  
11 during employment in the classified fire service in the state of Louisiana shall, for  
12 purposes of this Section only, be classified as a disease or infirmity connected with  
13 employment. The employee affected shall be entitled to indemnity benefits  
14 pursuant to R.S. 23:1221(4)(p) and medical benefits including hearing prosthesis  
15 as granted by the laws of the state of Louisiana to which one suffering an  
16 occupational disease is entitled, regardless of whether the fireman is on duty at the  
17 time he is stricken with the loss of hearing. Such loss of hearing shall be presumed

1 to have developed during employment and shall be presumed to have been caused  
 2 by or to have resulted from the nature of the work performed whenever same is  
 3 manifested at any time after the first five years of employment in such classified  
 4 service. This presumption shall be rebuttable by evidence meeting judicial standards  
 5 and shall be extended to an employee following termination of service for a period  
 6 of twenty-four months.

7 \* \* \*

8 Section 2. This Act shall become effective upon signature by the governor or, if not  
 9 signed by the governor, upon expiration of the time for bills to become law without signature  
 10 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If  
 11 vetoed by the governor and subsequently approved by the legislature, this Act shall become  
 12 effective on the day following such approval.

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The original instrument and the following digest, which constitutes no part  
 of the legislative instrument, were prepared by Yoursheka George.

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DIGEST

SB 370 Original

2020 Regular Session

Carter

Present law provides that hearing loss developed by an employee of the classified fire service shall be classified as a disease or infirmity connected with employment when the hearing loss is 10% greater than that of the employee's comparable age group.

Proposed law retains present law.

Present law grants the affected employee medical benefits and does not require the employee to be on duty at the time he is stricken with the hearing loss to receive the benefits.

Proposed law retains present law and adds that the affected employee shall also be entitled to indemnity benefits.

Present law provides the presumption that the hearing loss developed during the employee's employment or was caused by the nature of the work performed by the employee whenever hearing loss is manifested after the first five years of employment in classified fire service.

Present law requires each person selected for appointment to an entry level position in the classified fire service to submit to a baseline audiology examination.

Proposed law retains present law.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Amends R.S. 33:2581.1(A))