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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2017

A N A C T

RELATING TO TOWNS AND CITIES -- FIREFIGHTER DISABILITY

Introduced By: Senators Lombardi, Ciccone, Felag, Doyle, and Miller

Date Introduced: April 12, 2017

Referred To: Senate Labor

It is enacted by the General Assembly as follows:

1 SECTION 1. Chapter 45-19 of the General Laws entitled "Relief of Injured and Deceased
2 Fire Fighters and Police Officers" is hereby amended by adding thereto the following section:

3 **45-19-16.1. Presumption of cardiovascular disability in the line of firefighting duty.**

4 Notwithstanding the provisions of any general or special law to the contrary, any active
5 firefighter, as defined in §45-19-1, who has been a firefighter for at least three (3) years, including
6 their one year probation period, and who is unable to perform their duties in the fire department
7 because of an impairment of health caused by stroke or heart disease, is presumed to have
8 suffered an in-the-line-of-duty disability, unless the contrary be shown by clear and convincing
9 evidence, as a result of the inhalation of noxious fumes or poisonous gases, physically demanding
10 work, traumatic stress, and related factors associated with firefighting; provided however, that the
11 person benefiting from the presumption had passed a physical examination upon entry into
12 service, which failed to reveal any evidence of the condition, so long as the physical examination
13 was required. If the examination was not required, the person may benefit from the presumption.

14 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
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RELATING TO TOWNS AND CITIES -- FIREFIGHTER DISABILITY

1 This act would create a work disabling presumption for any firefighter who passed a
2 physical examination upon entry into service, has been an active firefighter for at least three (3)
3 years, and who later contracts disabling heart disease or a stroke.

4 This act would take effect upon passage.

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