



November 10, 2015

SB 456 (Latvala), the Senate Firefighter Cancer Disability Presumption bill, will be considered by the Senate Community Affairs Committee on Tuesday, Nov. 17, 2015, 1:00 p.m.

Please Contact the Members of the Senate Community Affairs Committee and Urge them to Oppose this Unfunded State Mandate.

- **SB 456** (Latvala) establishes a cancer disability presumption for firefighters which applies to ANY CANCER.
- The disability presumption provides that any health condition caused by ANY CANCER resulting in disability or death of a firefighter is presumed to be suffered in the line of duty, unless the contrary is shown by competent evidence.
- All firefighters employed on the effective date of the bill, which is approximately 41,500 statewide, do not have to meet any physical examination for any condition caused by cancer. Because approximately 39,500 are employed by local governments, almost all of the fiscal impact from the bill will be on local governments.
- Cancer mortality studies of firefighters have concluded either there is an insufficient association between cancers suffered by firefighters versus the general population, or that the only cancers showing a higher risk among Florida firefighters are respiratory cancer and skin cancer.
- A cancer disability presumption is a term or condition of employment subject to being collectively bargained by a city and its employees and, as such, should not be mandated on cities by the state.
- Smoking accounts for at least 30% of all cancer deaths and 87% of lung cancer deaths in men and 70% in woman. At a minimum, any cancer disability presumption must exclude any firefighter who uses or has used tobacco products.
- Under current law, if a firefighter establishes a connection between his or her job (such as being exposed to toxic substances or smoke) and a health condition related to cancer, the

firefighter is entitled to workers' compensation and disability pension benefits. Establishing a disability presumption that any health condition related to any cancer is presumed to be job related requires the governmental entity to prove that no aspect of the firefighter's job contributed to the health condition. This evidentiary standard is nearly impossible for a governmental entity to meet, and will result in significant increases in expenses for workers' compensation and disability pension benefits.

- This bill will result in significant increases in expenses for local governments for workers' compensation and disability pension benefits. The Florida League of Cities OPPOSES the bill as being a significant unfunded mandate.

Senate Community Affairs Committee – Oppose SB 456

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You can also use the League's advocacy tool [Capitol Connection](#) to e-mail members of the Committee.

Should you have any questions, please contact: Kraig Conn at kconn@flcities.com; or Amber Hughes at ahughes@flcities.com or you can reach both via phone: 850-222-9684.

Thank you for your advocacy efforts.