

HB 863 -- WORKERS' COMPENSATION

SPONSOR: Sauls

This bill allows firefighters and first responders to receive Workers' Compensation for diseases of the heart or cardiovascular system, any infectious diseases, diseases of the body systems or organs from carcinoma, and diseases of the lungs or respiratory tract. Any such disease contracted by paid, volunteer, or retired firefighters, paramedics, or emergency medical technicians shall be presumed to be an occupational disease if there is reasonable medical evidence that such employee was free of the disease at the beginning of his or her employment. The employer of the firefighter or first responder has a duty to provide such reasonable medical evidence. If the employer does not provide reasonable medical evidence, then the first responder will have the benefit of the presumption regardless of the absence of medical evidence.

Diseases of the body systems or organs from carcinoma are references to cancer and presumed to be an occupational disease if:

- (1) The first responder has been assigned to at least 5 years of hazardous duty,
- (2) The first responder was exposed to an agent classified by the International Agency for Research on Cancer,
- (3) Fewer than 20 years have elapsed since the first responder was last assigned to hazardous duty; and
- (4) At the time of the diagnosis of cancer, the first responder was under the age of 70.

However, this presumption can be rebutted, as described in the bill.

Mental disorders may be recognized as occupational diseases and may be defined to be a disability due to stressful exposures, if such psychological stress or mental disorders arise from their employment.

The Division must prepare and submit a report regarding presumed cancer claims before August 28, 2022 and an updated report every two years thereafter. This report shall be provided to the Speaker of the House of Representatives, the Minority Leader of the House, the President Pro Tem, and the Minority Leader of the Senate, The Missouri Association of Fire Chiefs, The Fire Fighters Association of Missouri, and the Missouri Municipal League.

This bill is the same as HB 2217 (2020).