

PRINCE GEORGE'S COUNTY COUNCIL

COMMITTEE REPORT

2017 Legislative Session

Reference No.:	CB-3-2017
Draft No.:	3
Committee:	PUBLIC SAFETY AND FISCAL MANAGEMENT
Date:	07/13/2017
Action:	FAV (A)

REPORT: Favorable as Amended, 4-0 (In Favor: Council Members Glaros, Taveras, Lehman, and Turner)

CB-3-2017 proposes to provide a presumption of illness standard allowing volunteer firefighters and their families to access disability and death benefits when the cause of disability or death, heart or lung disease or some specific cancers are presumed to be a service-connected disability.

There is a presumption created that the illness is linked to fighting fires. The presumptive language in the legislation mirrors the career firefighter's union contract's medical presumption language.

The Administration supports extending the presumption of illness to volunteer firefighters, but sought clarification as to which volunteers the law would apply. Amendments were made to apply the presumption to active volunteers and language was added to ensure the County is not liable for volunteers who serve as career firefighters in other jurisdictions.

The disability and death benefits in the County Code have not been updated since the 1970's. Draft 2 cleans out the old language and codifies the requirement that the County provide a Blanket Life and Accident Insurance Policy. The County has a current policy which provides for death, disability and medical benefits, but many volunteers were unaware it exist. The new amendments require that active and incoming members must be notified of the existence of the policy.

The amendments to the Bill also update the death benefits. In addition to the assurance of coverage from the Blanket Life and Accident Policy, Draft 2 increases the death benefit for any member from \$5,000 to \$15,000 and makes clear this benefit is for any member who dies, and is not specific to a line of duty death.

Finally, there is an added line of duty death benefit for each year of additional service over 10 years.

During the two committee sessions held on February 9th and March 9th, CB-3-2017, the Bill was supported by both Acting Fire Chief Barksdale and Julian Tucker from the Fire Commission.

On March 28th, the Council referred CB-3-2017 (DR-2) back to PSFM for further discussion on possible amendments. On July 13th, the Committee met again to discuss the bill. At the work session, a Proposed Draft 2A was presented that clarified who the medical presumption applies to and the definition of active member. The

Proposed Draft 2A also revised the requirement for a base line National Fire Protection Association (“NFPA”) 1582 physical to a base line physical to include screenings consistent with NFPA 1582 criteria for cancer, lung disease, heart disease, and hypertension.

The Office of Audits and Investigations reports that allowing a presumption of a service-connected disability to be applied to certain conditions, or the impairment of health that are commonly reoccurring conditions or impairments, will increase the County’s financial burden for the payout of disability benefits. However, due to the many factors which could cause an eligible member to suffer a condition, or impairment of health which would be considered a service-connected disability, as defined in the proposed legislation, we are unable to determine the Bill’s approximate fiscal impact on the County. Given the amount of the disability benefits related to the proposed presumption of service-connected disabilities, any benefits paid as a result should not have a significant negative fiscal impact on the County.

After much deliberation the Public Safety and Fiscal Management Committee voted the bill out favorably as amended, 4-0.