



February 23, 2016

The Honorable Jay Hottinger
Senate Insurance Committee, Chairman
Ohio Senate
Columbus, OH 43215

Re: SB 27 Firefighter Cancers

Dear Chairman Hottinger:

On behalf of the Ohio Municipal League (OML) and Ohio Township Association (OTA), we are writing to express our opposition to SB 27, which provides that a firefighter who is disabled as a result of certain types of cancer is presumed for purposes of the laws governing workers' compensation and the Ohio Police and Fire Pension Fund to have incurred the disease while performing official duties as a firefighter.

Before we delve into the issue we would like to state that our organizations support safety forces and, as the employer, strive to make working conditions safe for our forces. Our legislative boards generally have the same goal as the fire departments, to protect their citizens and their property from harm.

Our main concern is that, if enacted, SB 27 will put an additional financial strain on budgets of municipalities and townships that employ firefighters. Under the provisions of SB 27 certain types of cancer, requiring disability retirement, will be presumed job-related. While some forms of cancer might be discernible as job-related, such as lung cancer, for others it is difficult to see the relationship between the disease and the occupation. We do not believe certain cases of cancer, such as kidney or bladder cancer, call for a presumption. Even the 2006 study by the University of Cincinnati that has often been cited found that "firefighters are significantly more likely to develop *four* different types of cancer than workers in other fields." Those four cancers are testicular, non-Hodgkin's lymphoma, prostate and multiple myeloma. Senate Bill 27 assumes presumption for over 13 different types of cancers.

Pursuant to SB 27, a firefighter would be required to have a cancer screening prior to being hired by a political subdivision. While the premise is to be preventative, often cancers do not appear for many years after exposure to a toxin or due to family history. A pre-screening may not reveal a family history of colorectal cancer or skin cancer, therefore presuming it occurred as a result of working as a firefighter would be inaccurate.

While our members will not be paying for this proposed change directly, they ultimately will be paying for it via higher workers' compensation and police and fire pension fund premiums. The presumption would considerably increase premiums and administrative costs while local governments across the state are dealing with revenue losses. Moreover, allowed claims such as these would prevent cities, townships and villages from participating in money-saving programs offered by BWC. As stated in a memo from the Bureau of Workers' Compensation dated August 28, 2015, it is estimated that a similar bill, HB 292, will cost approximately \$87 million. We know that those costs will be passed on to local governments.

We respectfully urge you to reconsider SB 27 and the financial implications the legislation will have on local governments and the Bureau of Workers' Compensation. Should you have any questions or concerns or wish to discuss this matter further, please do not hesitate to contact either of our organizations.

Sincerely,

Susan Cave
OML Executive Director

Matthew J. DeTemple
OTA Executive Director

cc: President Faber
Minority Leader Schiavoni
Senate Insurance Committee