

1 HB18  
2 194975-1  
3 By Representative Hanes  
4 RFD: Ways and Means General Fund  
5 First Read: 05-MAR-19  
6 PFD: 01/10/2019

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8 SYNOPSIS: Existing law provides for certain benefits,  
9 including insurance coverage, disability, and  
10 workers' compensation, for any active city or state  
11 firefighter who has an occupational disease,  
12 including cancer, which manifests while the  
13 firefighter is employed with the city or the state.

14 This bill would provide that a retired  
15 certified firefighter who is diagnosed with a  
16 cancer that is considered an occupational disease  
17 would receive reimbursement of his or her  
18 out-of-pocket expenses, under certain conditions,  
19 for medical treatment related to the cancer that is  
20 not covered by his or her own health insurance or  
21 Medicare, if the cancer was diagnosed within 10  
22 years of his or her retirement.

23  
24 A BILL  
25 TO BE ENTITLED  
26 AN ACT  
27

1           Relating to retired certified firefighters; to  
2 provide reimbursement of out-of-pocket expenses for medical  
3 treatment not covered by the health insurance or Medicare  
4 coverage of the firefighter if diagnosed with cancer within 10  
5 years of retirement, under certain conditions.

6 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

7           Section 1. For the purposes of this act, the  
8 following terms shall have the following meanings:

9           (1) CANCER. Cancer that originates as a cancer of  
10 the brain, skin, digestive system, hematological system, or  
11 genitourinary system.

12           (2) EMPLOYER. Any municipality, agency, board, or  
13 district that employs paid, certified firefighters to provide  
14 emergency and non-emergency fire services to the general  
15 public within the boundaries of this state.

16           (3) OCCUPATIONAL DISEASE. A disease arising out of  
17 and in the course of employment which is due to hazards in  
18 excess of those ordinarily incident to employment in general  
19 and is peculiar to the occupation in which the employee is  
20 engaged, without regard to negligence or fault, if any, of the  
21 employer.

22           (4) RETIRED CERTIFIED FIREFIGHTER. Any person who  
23 has obtained certification as a firefighter through, and as  
24 defined by, the Alabama Fire College and Personnel Standards  
25 Commission, who has been employed by any employer, as defined  
26 by this act, who has had continued service of at least three  
27 years, and who has left that service in accordance with the

1 rules of his or her employer either from service time or due  
2 to a disability injury.

3 Section 2. (a) Except as provided in subsection (c),  
4 a retired certified firefighter who is diagnosed with cancer  
5 that is considered an occupational disease shall be provided  
6 reimbursement of his or her out-of-pocket expenses for medical  
7 treatment provided by his or her insurance provider network  
8 related to the cancer which is not covered by his or her  
9 health insurance or Medicare, if the cancer was diagnosed  
10 within 10 years of his or her retirement.

11 (b) (1) All costs associated with the reimbursement  
12 required by this section shall be paid by the employer from  
13 which the retired certified firefighter is retired.

14 (2) Reimbursement under this section shall not be  
15 required for any experimental treatments or travel out of the  
16 treatment network of the retired certified firefighter unless  
17 the additional treatment is requested by his or her physician  
18 and approved by his or her insurance provider.

19 (c) An employer is not required to provide  
20 reimbursement under subsection (a) if the cancer was caused by  
21 some other means other than the occupation.

22 Section 3. This act shall become effective on the  
23 first day of the third month following its passage and  
24 approval by the Governor, or its otherwise becoming law.