



**PA 25-4—sSB 1426**

*Labor and Public Employees Committee*

**AN ACT MAKING CHANGES TO THE FIREFIGHTERS CANCER RELIEF PROGRAM**

**SUMMARY:** This act makes various changes to a program that provides workers' compensation-like benefits to firefighters who have certain cancers and meet other criteria. Generally, the program requires an eligible firefighter's employer to pay the benefits and then be reimbursed from the state's firefighters cancer relief account.

Among other things, the act:

1. adds skin cancer to the types of cancers the program covers and makes changes to other eligibility criteria;
2. makes changes to clarify how state-employed firefighters must apply for program benefits;
3. requires the program's benefits to be provided in the same way they would be if the firefighter's cancer had been caused by an occupational disease, rather than a personal injury, under the workers' compensation law;
4. authorizes workers' compensation administrative law judges (ALJs) to adjudicate a firefighter's appeal of a denial of benefits from the program; and
5. makes various minor, technical, and conforming changes.

**EFFECTIVE DATE:** October 1, 2025

**SKIN CANCER AND OTHER ELIGIBILITY CRITERIA**

By law, firefighters may qualify for the program's benefits if they, among other things, (1) are diagnosed with certain types of cancer, (2) had a physical examination after joining the service, and (3) were employed in certain firefighting positions for at least five years.

The act expands the types of cancers covered by the program to include skin cancer. Other types of cancer already covered by the program include those affecting the brain or the skeletal, digestive, endocrine, respiratory, lymphatic, reproductive, urinary, or hematological systems. As under existing law, for the person to qualify, the cancer must result in death or temporary or permanent total or partial disability.

For the physical exam requirement, the act removes a provision that required a firefighter to have had a physical examination that failed to reveal a propensity for cancer in order to qualify for benefits. By law, and unchanged by the act, the exam still must have failed to reveal any evidence of cancer.

By law, a firefighter must have been employed for at least five years in certain firefighting positions (e.g., interior structural firefighter, fire marshal, fire

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inspector). The act specifies that this qualifying employment time can include any combination of employment in those positions.

### STATE-EMPLOYED FIREFIGHTERS

Prior law required (1) a firefighter to apply for the benefits by notifying the municipality where he or she is employed and (2) that municipality to administer the claim and provide the benefits. The act clarifies this process for state-employed firefighters by instead requiring the firefighter to notify his or her municipal or state employer, as appropriate, and that employer to administer the claim and benefits.

Under existing law, a “municipal employer” is any political subdivision of the state, including any town, city, borough, district, district health department, school board, housing authority, or other authority established by law; a private nonprofit corporation with a valid contract with any town, city, borough, or district to extinguish fires and to protect its inhabitants from loss by fire; and any person or persons designated by the municipal employer to act in its interest in dealing with municipal employees. Under the act, a “state employer” is Connecticut, including any state agency or department, and any board of trustees of a state-owned or supported college or university and its branches. (PA 25-168, §§ 408-410, further specifies that state-employed firefighters covered by the program include those employed by (1) the Connecticut Airport Authority or Tweed-New Haven Airport and (2) any entity that contracts with the Tweed-New Haven Airport Authority.) The act also makes related conforming changes.

### OCCUPATIONAL DISEASE

Prior law required that eligible firefighters receive the program’s benefits in the same amount and in the same way that they would have been provided under the workers’ compensation law if their death or disability had been caused by a personal injury that arose out of and in the course of their employment. The act instead requires the death or disability to be treated as if it had been caused by an occupational disease, rather than a personal injury. Generally, under workers’ compensation law, an occupational disease includes any disease peculiar to the employee’s occupation and due to causes that exceed ordinary hazards of employment (CGS § 31-275). Procedurally, the workers’ compensation law allows claimants to apply for benefits within three years after the first manifestation of an occupational disease’s symptom, rather than within one year after a personal injury (CGS § 31-294c).

The act similarly requires the retirement or survivor benefits, or disability benefits, an eligible firefighter receives under the program to be treated as if the death or disability had been caused by an occupational disease, rather than a personal injury.

### WORKERS’ COMPENSATION ALJ APPEALS

The law allows a firefighter to request that a denial of compensation or benefits

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from the program be reconsidered in the same way as workers' compensation claims. The act expands on this by explicitly authorizing workers' compensation ALJs to adjudicate these appeals and extending their statutory powers and duties to cover these cases. Among other things, this (1) authorizes them to summon and examine witnesses under oath; (2) generally requires the appeal to be filed in the ALJ district where the claim arises; and (3) allows the Superior Court, under certain conditions, to enforce an ALJ's order.

### OTHER CHANGES

Prior law required the firefighters' cancer relief account to reimburse any costs for an eligible firefighter's cancer treatments not covered by his or her personal or group health insurance. The act narrows this requirement to apply only if the treatments comply with the workers' compensation law that generally requires employers to provide reasonable or necessary medical care for injured employees. (PA 25-168, §§ 408 & 409, further specifies that the reimbursement must be to the municipal or state employer that applied for reimbursement, which conforms to current practice.)

Under prior law, if a firefighter who was receiving compensation (the workers' compensation-like benefits) from the program dies from cancer, his or her survivors could file a workers' compensation claim within one year after the firefighter's death. Until the claim is approved, the survivors must continue receiving benefits from the firefighters cancer relief account. If they did not file a workers' compensation claim before the one-year deadline they could continue to receive benefits from the account.

The act (1) limits this option to the firefighter's surviving dependents and (2) also allows it when the firefighter (a) was receiving other benefits under the program (retirement or disability benefits) or (b) had applied for compensation or benefits, but was not yet receiving them.