

2024 Presumptive Cancer Information

- What does presumptive mean? It is a rule of law that permits a court of exclusive adjudicative body to assume a fact is true until contrary evidence proves otherwise.
- Presumptive cancer laws stipulate that firefighters diagnosed with cancer while on the job are presumed to have become ill due to their exposure to carcinogens on the job.
- This bill will list presumptive cancer and provides if a firefighter suffers or dies from a presumptive cancer it is presumed the firefighter developed the presumptive cancer during the course and scope of the firefighter's employment.
- This bill applies to paid and volunteer firefighters and specifies qualifications criteria as to a minimum duration of employment, exposure to hazards, baseline health, and tobacco use.
- A firefighter who qualifies for a presumption established under this bill is entitled only to the benefits or compensation to which the firefighter would otherwise be entitled to receive at the time the claim for benefits or compensation is filed.
- This bill does not create a cause of action.
- The burden of proof shifts from the employee to the employer to either rebut the presumption or prove that the presumption does not apply to the employee.
- Firefighter's have a 9% greater risk of being diagnosed with cancer than the general public and a 14% greater risk of dying from occupational cancer than the general public.
- Cancer is the most dangerous under-recognized threat to the health and safety of our states firefighters.
- In 2018 and 2019, 76% of Firefighters placed on the International Association of Firefighters Fallen Firefighter Memorial Wall of Honor died of cancer.
- The number of line of duty deaths from occupational cancer continues to rise, but our fire incidents are decreasing.
- Key Studies: NIOSH Study; LeMasters Meta-Analysis; Nordic Study; and Jalilian Meta-Analysis.
- Firefighters are already taking steps to reduce their risks:
 - Hot, warm, and cold zones in the fire stations.
 - Washing their hands after handling equipment.
 - Taking a shower and changing clothes anytime they enter a hazardous environment.
 - Keeping their gear out of living areas.
 - Gross decontamination of their gear upon leaving a hazardous environment.
 - Utilizing wet wipes to clean off exposed skin areas.
 - Bagging their gear upon completion of the incident.
 - Proper laundering of the gear and cleaning of the used equipment.