

## KEY POINTS

## Federal fire fighters provide essential services across the nation

- Federal fire fighters have some of the most hazardous and sensitive jobs in the country. While protecting our national interests on military installations, federal research laboratories, homeland security facilities and veterans' hospitals, federal fire fighters are exposed to carcinogenic smoke, toxic substances, high heat and stress, putting them at an increased risk to develop occupational diseases.
- Federal fire fighters often serve alongside state and local fire fighters who have presumptive coverage and are exposed to the same hazardous conditions, such as responding to the recent California wildfires. It is fundamentally unfair that federal fire fighters are not eligible for presumptive health or disability retirement coverage for the same occupational diseases as their state and municipal counterparts.

## Fire fighters are at significant risk for occupational diseases

- Studies demonstrate that numerous cancers occur at higher rates in fire fighters than in the general population. Moreover, fire fighters experience a statistically significant increased risk of dying from cancer.
- Fire fighters have an increased risk of sudden cardiac events after participating in fire suppression activities. One-fifth of fire fighters engaging in live-fire suppression activities experience cardiac arrhythmias, an irregular series of heartbeats. Electrocardiograms obtained up to 12 hours following active firefighting show ventricular arrhythmias and changes indicative of inadequate blood supply to the heart. Fire fighters' risk of death from a heart attack is up to 100 times greater than those performing non-emergency work.
- Fire fighters and emergency medical personnel are regularly exposed to blood and bodily fluids in the course of duty, putting them at risk for infectious disease. Exposure to infectious bloodborne diseases occurs to four out of five fire fighters, according to a study conducted by OSHA.

## The existing claims process is lengthy and cumbersome

- The Office of Workers Compensation Programs (OWCP) annually receive more than 100,000 new cases. There are lengthy review and approval processes leading to delays in employee compensation and payment of medical bills. The Division of Federal Employees' Compensation indicates cases requiring evidentiary development take nearly six months to deliver a decision to claimants. However, complex cases, such as cancers, heart and lung illnesses and infectious diseases in fire fighters often take 10 months or longer.
- To be eligible for OWCP's disability coverage, a federal fire fighter must specify the precise exposure, including naming the carcinogen, causing his or her illness. This burden of proof is extraordinarily difficult to meet because fire fighters respond to numerous calls in diverse environments under different conditions. The level of specificity required by OWCP is impossible to achieve.

## Rebuttable presumptive disability benefits are reasonable

- Because the presumption is rebuttable, illnesses would not be considered job-related if the employing agency can demonstrate the disease or illness was likely the result of another cause, such as smoking. However, the burden of proof rests with the employer, rather than the ill employee.
- Presumptive disability benefits are not a new concept. In March of 2021 Congress granted presumptive disability benefits to public-facing federal employees infected by Covid-19, demonstrating FECA presumptions are in the public interest. Congress has granted presumptive benefits to other groups of individuals, such as 9/11 World Trade Center responders and victims and Vietnam veterans exposed to herbicides. Additionally, 48 states have enacted presumptive disability laws for state and municipal fire fighters.