

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 for developing 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 when responding to 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 fire fighters develop numerous cancers more often than the public. 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 firefighting 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, putting them at risk for infectious disease. Exposure to bloodborne diseases occurs to four out of five fire

fighters, according to a study by the Occupational Health and Safety Administration (OSHA).

The existing claims process is lengthy and cumbersome

- In Fiscal Year 2019, the Office of Workers Compensation Programs (OWCP) received 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. Complex cases, such as cancers, heart and lung disease and infectious diseases in fire fighters often take as long as 10 months or longer.
- A federal fire fighter must specify the precise exposure that caused his or her illness to be eligible for OWCP's disability coverage. This burden of proof is extraordinarily difficult to meet because fire fighters experience countless exposures throughout their careers. 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 likely had a non-occupational cause, such as smoking. However, the burden of proof rests with the employer, rather than the injured employee.
- Presumptive disability benefits are not a new concept. Congress approved a COVID-19 presumption for public safety officers and has provided presumptive disability benefits to other groups of individuals, such as 9/11 World Trade Center responders and victims. Additionally, 49 states have enacted similar laws for state and municipal fire fighters.