

2022 Regular Session

HOUSE BILL NO. 878

BY REPRESENTATIVE HORTON

CIVIL SERVICE/FIRE & POL: Provides for hearing loss as an occupational disease while employed in the classified police service

1 AN ACT

2 To enact R.S. 33:2581.3, relative to the classified police service; to provide that the
3 development of hearing loss while employed in the classified police service is an
4 occupational disease; to provide for benefits to an affected employee; to create a
5 rebuttable presumption that such hearing loss developed during employment under
6 certain circumstances; to require certain persons appointed to the classified police
7 service to submit to a baseline audiology examination; and to provide for related
8 matters.

9 Be it enacted by the Legislature of Louisiana:

10 Section 1. R.S. 33:2581.3 is hereby enacted to read as follows:

11 §2581.3. Development of hearing loss during employment in the classified police
12 service; occupational disease

13 A. Any loss of hearing which is ten percent greater than that of the affected
14 employee's comparable age group in the general population and which develops
15 during employment in the classified police service in the state of Louisiana shall, for
16 purposes of this Section only, be classified as a disease or infirmity connected with
17 employment. The employee affected shall be entitled to medical benefits including
18 hearing prosthesis as granted by the laws of the state of Louisiana to which one
19 suffering an occupational disease is entitled, regardless of whether the employee is
20 on duty at the time he is stricken with the loss of hearing. Such loss of hearing shall

1 be presumed to have developed during employment and shall be presumed to have
2 been caused by or to have resulted from the nature of the work performed whenever
3 same is manifested at any time after the first five years of employment in the
4 classified police service. This presumption shall be rebuttable by evidence meeting
5 judicial standards and shall be extended to an employee following termination of
6 service for a period of twenty-four months.

7 B. Each person selected for appointment to an entry level position in the
8 classified police service on and after August 1, 2022, shall submit to a baseline
9 audiology examination. The appointing authority shall develop and implement
10 policies and procedures for the administration of such examinations. A person shall
11 be examined not later than one year after his appointment.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 878 Original

2022 Regular Session

Horton

Abstract: Provides that the development of a certain percentage of hearing loss while employed in the classified police service is classified as an occupational disease.

Proposed law provides that the development of hearing loss that is 10% greater than that of the affected employee's comparable age group in the general population while employed in the classified police service is classified as a disease or infirmity connected with employment. Provides that the employee is entitled to medical benefits, including hearing prosthesis, that a person suffering an occupational disease is entitled pursuant to state law. Provides that such hearing loss is presumed to have occurred as a result of employment if it is manifested at any time after the first five years of employment. Provides that the presumption is rebuttable and extends 24 months beyond termination of service. Requires each person selected for appointment to an entry level position in the classified police service to submit to a baseline audiology examination.

(Adds R.S. 33:2581.3)