

RÉSUMÉ DIGEST

ACT 516 (HB 854)

2022 Regular Session

Stagni

Existing law provides that when a firefighter who is in the classified fire service and who has completed 10 or more years of service develops cancer, the cancer shall be classified as an occupational disease or infirmity. Existing law further provides that the disease or infirmity shall be presumed to have been caused by the work performed. Provides that the presumption is rebuttable by evidence meeting judicial standards.

Existing law provides that the presumption extends to a member following termination of service for a period of three months for each full year of service not to exceed 60 months.

New law limits the applicability of this presumption period to firefighters who terminate service prior to Jan. 1, 2023. New law extends the presumption to a period not to exceed 120 months for firefighters who are active or who terminate their service on or after Jan. 1, 2023, who have been diagnosed with cancer prior to reaching the age of 65, and who are in one of the following categories:

- (1) Firefighters who are employed in the fire service for at least 10 years and attain the age of 55.
- (2) Firefighters who are employed in the fire service for at least 20 years and attain the age of 50.
- (3) Firefighters who are employed in the fire service for at least 25 years.
- (4) Firefighters who are employed in the fire service for at least 10 years and who are subsequently approved for disability retirement by a public retirement system.

New law limits the obligation of employers regarding claims filed pursuant to existing or new law on or after Jan. 1, 2023, to the Medicare fee schedule times 1.5 or the actual charge, whichever is less. New law provides that if Medicare reimbursement is not available, the employer's obligation is limited to the worker's compensation reimbursement schedule.

Effective August 1, 2022.

(Amends R.S. 33:2011(A); Adds R.S. 33:2011(E))