



## **SB 925 = A MANDATE ON TOP OF A MANDATE: *SPECIAL CARDIAC BENEFITS FOR FIREFIGHTERS***

### **MYTH vs. FACT**

**MYTH:** SB 925 is a new, one time proposal from the firefighter union lobbyists.

**FACT:** No. The camel's nose is already under the tent. **SB 925 is the continuation of a campaign to expand costly workers' compensation benefits at local taxpayers' expense.** Proponents of this mandate were granted special presumptions for coverage of heart attacks while on duty a few years ago. Now, they are back seeking more benefits in the form of SB 925 – which originally would have mandated coverage for heart attacks up to 72-hours after they have left the fire station. However, union lobbyists have reverted to a fall-back plan that would instead, mandate firefighters' heart attacks that occur up to 24 hours after on duty would be presumed job-related. SB 925 as amended essentially acknowledges the lack of evidence for a 72-hour presumption as originally proposed. Amending this mandate illustrates a **strategy to chip away, each year, until there is a universal presumption that all firefighters' heart attacks are job-related. State lawmakers should be wise to these tactics and take no action on SB 925.**

**MYTH:** SB 925 would reasonably adjust current law.

**FACT:** No. SB 925 would place a new mandate on top of a current, unfunded state mandate. **Firefighters already have mandated benefits for heart attacks while on duty.** As stated: if a firefighter has a heart attack while on duty, state law mandates that such injury be presumed job-related thus, triggering workers' compensation benefits. **SB 925 would expand the existing unfunded mandate – to up to 24-hours after firefighters are on duty – that such 'cardiac events' are presumed job-related.**

**MYTH:** SB 925 is medically justified.

**FACT:** No. **There is no credible medical evidence (submitted at the public hearing or otherwise) that justifies the need for the State to mandate firefighters' heart attacks that occur one day after on duty are presumed job-related.** In fact, SB 925 would ignore commonly accepted risk factors of heart emergencies such as smoking, abnormal cholesterol, diabetes, high blood pressure,

abdominal obesity, age, diet, and overall medical history – and instead, place the burden on hometown officials to prove otherwise.

**MYTH:** SB 925 would not have a negative fiscal impact on municipal budgets.

**FACT:** No. According to the non-partisan Office of Fiscal Analysis (OFA), **the costs of SB 925 on local taxpayers could be “up to \$1 million per claim”** regardless of how far out the mandated presumption is extended (24, 48, 72 hours).

SB 925 would cause a tremendous burden on local resources – administrative (forensic, medical evaluations, legal) and financial. SB 925 would turn the workers’ compensation system on its head by disregarding the system’s core principle of requiring proof of a causal link between an injury and the job. By doing so, it is reasonable to expect that **SB 925 would increase the number of claims filed – based on the fact that filing a claim would increase the probability of awards**—because the burden of proof has shifted to towns and cities to refute the claim. The fiscal ramifications of this likelihood would cause a significant negative impact on municipal budgets.

**MYTH:** Local officials are opposed to providing workers’ compensation benefits to employees.

**FACT:** No. **Local officials oppose state-mandated special benefits that presume off-duty illnesses are directly related to job activities.** The existing workers’ compensation system is fair and the appropriate mechanism to address work-related claims – there is no compelling reason to jerry-rig the system for select employees. Again, if there is a link between the illness and the job, then the current workers’ compensation system provides coverage.

### **THE BOTTOM-LINE:**

The dedication and service of local public safety personnel is not at issue. **What is at question is whether local property taxpayers – and their hometown budgets – should be mandated by the State to pay for special workers’ compensation benefits for injuries that do not occur while at work.**

As the Appropriations & Finance Committees’ budget would cut municipal aid by \$152 million – and the M.O.R.E. Commission examines ways to reduce or eliminate unfunded state mandates – now is not the time to impose new, costly state mandates on hometowns. *It is time for mandates relief.*

**CCM respectfully urges lawmakers to take no action on SB 925.**

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