



# 130th MAINE LEGISLATURE

LD 213

LR 148(04)

## An Act To Require Coverage for Female Firefighters Facing Reproductive System Cancer

Fiscal Note for House Amendment " " to Original Bill

Sponsor: Rep. Sylvester of Portland

Fiscal Note Required: Yes

### Fiscal Note

State Mandate - Funded

	FY 2021-22	FY 2022-23	Projections FY 2023-24	Projections FY 2024-25
<b>Net Cost (Savings)</b>				
General Fund	\$540,000	\$540,000	\$540,000	\$540,000
<b>Appropriations/Allocations</b>				
General Fund	\$540,000	\$540,000	\$540,000	\$540,000

#### State Mandates

Required Activity	Unit Affected	Local Cost
Shifting the burden of proof that a municipal firefighter or volunteer firefighter contracted gynecologic cancer as a result of employment as a firefighter from the claimant to the employer and/or the employer's insurer may necessitate a more vigorous and costly legal defense by municipalities and increase the number of cases lost.	Municipality	\$600,000 annually

The required local activities in this bill may represent a state mandate pursuant to the Constitution of Maine. If the bill does require a local unit of government to expand or modify its activities so as to necessitate additional expenditures from local revenue, the state mandate provisions of the Constitution of Maine require either: (1) General Fund appropriations be provided to fund at least 90% of any additional necessitated local costs of the mandate; or (2) a Mandate Preamble be added to the bill and two-thirds of the members of each House vote to exempt the mandate from the funding requirement. If the bill does represent a state mandate and neither one of these actions occurs, the local units of government will not be required to implement the mandated activities.

#### Fiscal Detail and Notes

This amendment includes ongoing General Fund appropriations of \$540,000 per year beginning in fiscal year 2021-22 to a newly created State Mandate Reimbursement - Gynecologic cancer program within the Department of Administrative and Financial Services to reimburse local units of government for 90% of the increase in workers' compensation costs due to the presumption that a municipal firefighter or volunteer firefighter contracted gynecologic cancer as a result of employment as a firefighter. Any unexpended funds at the end each fiscal year will lapse to the unappropriated surplus of the General Fund.

This estimate is based on information provided from Maine Municipal Association (MMA) that states that since the enactment of Public Law 2009, chapter 408, *An Act Allowing Workers' Compensation Benefits for Firefighters Who Contract Cancer*, the communities in MMA's workers' compensation insurance pool (approximately 422 municipalities) have incurred approximately \$5.0 million in related costs. On average, MMA pays 2 presumption claims per year that range between \$130,000 and \$500,000 each. It is important to note that these amounts do not reflect the costs incurred by some of the State's largest municipalities such as Portland, Bangor, Lewiston and Auburn as they are self-insured. This fiscal note assumes 3 presumption claims are paid by municipalities each year at an average cost of \$200,000 each.