

127th MAINE LEGISLATURE

FIRST REGULAR SESSION-2015

Legislative Document

No. 301

S.P. 116

In Senate, February 10, 2015

An Act To Improve Insurance Coverage for First Responders Answering a Call to Duty

Reference to the Committee on Labor, Commerce, Research and Economic Development suggested and ordered printed.

HEATHER J.R. PRIEST Secretary of the Senate

Heath Je Buit

Presented by Senator JOHNSON of Lincoln.
Cosponsored by Representative HERBIG of Belfast and
Senators: BURNS of Washington, DUTREMBLE of York, MIRAMANT of Knox, PATRICK
of Oxford, Representatives: DOORE of Augusta, EVANGELOS of Friendship, LONG of
Sherman, MAKER of Calais.

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 39-A MRSA §201, sub-§7 is enacted to read:

7. Injury to firefighter or emergency medical services person. There is a rebuttable presumption that a personal injury to a paid or volunteer firefighter or a paid or volunteer emergency medical services person considered an employee within the meaning of this Act is considered to arise out of and in the course of employment and is compensable under this Act if the personal injury occurs at any time after the firefighter or emergency medical services person receives notice of a fire or emergency and is in the process of responding. An employer providing self-insurance or an insurer providing workers' compensation insurance may not seek to limit benefits under this Act to a firefighter or emergency medical services person to a personal injury that occurs only after the firefighter or emergency medical services person begins traveling on a public way.

14 SUMMARY

 This bill creates a rebuttable presumption that a personal injury to a paid or volunteer firefighter or a paid or volunteer emergency medical services person considered an employee within the meaning of the Maine Workers' Compensation Act of 1992 is considered to arise out of and in the course of employment and is compensable under the Act if the personal injury occurs at any time after the firefighter or emergency medical services person receives notice of a fire or emergency and is in the process of responding.