



**Testimony of
Michael J. Crouse, President
Professional Fire Fighters of Maine**

**LD 213 An Act to Require Coverage from Female Firefighters
Facing Reproductive System Cancers
February 17th, 2021**

Chairman Rafferty & Sylvester and distinguished members of Joint Standing Committee on Labor and Housing Good Morning and thank you for the opportunity to appear before this committee today in support of LD 213, An Act to Require Coverage for Female Firefighters Facing Reproductive System Cancers”.

My name is Michael Crouse and I am the President of the Professional Fire Fighters of Maine. I am here today representing the views of our Executive Board and over 1,000 Professional Firefighters, Paramedics, EMTs & Dispatchers, including our 100 Public Sector women Firefighters/EMTS/Paramedics. The PFFMaine has been actively involved in improving the health & safety of firefighters for more than 75-years. This is a critical activity for a workforce in which fatalities and early retirement due to work related disease occur regularly.

The women and men of our organization are on the front lines everyday protecting and serving the citizens, businesses, and tourists in 40 of our cities and towns throughout the great State of Maine. In addition, I spent over 15 years working as a Federal Firefighter at the Portsmouth Naval Shipyard in Kittery and I have firsthand knowledge and experience of what it takes to be a 1st Responder in Maine.

Mr. Chairmen, as you know, LD 213 if enacted, would amend Title 39-A, Section 328 B sub section 1 to add “Gynecologic Cancer” as a rebuttable presumption to the act.

This morning I would like to share with you and the members of the Committee a few facts that will be helpful as you consider this important piece of legislation for Maine’s Women in the Fire Service.

- Firefighting and the other Emergency relates services that we provide every day is a dangerous and hazardous occupation for those doing the job.
- The Fire Service is comprised of “both” highly educated, skilled, trained, dedicated women and men who put their lives on the line for complete strangers.
- Firefighters are still entering into uncontrolled, hazardous environments regularly. Firefighters, unlike most workers in this country, have little information about the range of exposures they encounter in each fire and/or emergency incident they respond to. Nevertheless, they save lives and reduce property damage without regard for the hazards to their health that they may sustain.
- Firefighters are exposed to a wide range of cancer-causing chemicals and substances in their work which results in increased cancer risks that is not gender specific. However, studies of the chemicals contained within the smoke that fire fighters commonly encounter during fire suppression and overhaul activities has clearly documented reason for concern about these exposures. Smoke is a complex mixture of cancer-causing chemicals from combustion of all the various products in modern fires.
- The concept of covering reproductive cancers for female firefighters under presumptive laws is not new. Currently, there are 33 States that have some form of undefined cancer coverage while 11 of them have more specific language covering female reproductive cancers. In addition, our friends to the North in the Canada Providences include female reproductive cancers in their firefighter presumptive laws.

- If LD 213 is enacted into law, it would “NOT” provide an automatic coverage for female reproductive cancers.

As a reminder, in order to qualify for the §328-B Firefighter Cancer Presumption, a firefighter must meet several criteria.

First, there is a length of service requirement that requires a firefighter to have been employed for 5 years.

Second, in order to be entitled to the presumption, during the time of employment as a firefighter, the firefighter must have undergone a standard, medically acceptable test for evidence of the cancer for which the presumption is sought or evidence of the medical conditions derived from the disease, which test failed to indicate the presence or condition of cancer.

In addition, the firefighter must sign a written affidavit declaring, to the best of the firefighter's knowledge and belief, that the firefighter's diagnosed cancer is not prevalent among the firefighter's blood-related parents, grandparents or siblings and that the firefighter has no substantial lifetime exposures to carcinogens that are associated with the firefighter's diagnosed cancer other than exposure through firefighting.

Finally, in order to qualify for the presumption, the cancer must be diagnosed within 10 years of the firefighter's last employment as a firefighter or prior to age 70, whichever occurs first.

It is also important to note that even if a firefighter qualifies for the presumption, it is a rebuttable presumption. This means that the firefighter does not “automatically” win the claim even if the firefighter meets the presumption criteria, but instead the presumption places the burden of proof on the Employer to prove that the cancer was not caused by firefighting.

Mr. Chairman, these are the facts and they are undisputable and hopefully will be helpful as you and the Committee continue your work on LD 213.

Presumption of cancers in Female firefighters is finally becoming accepted throughout the Country and North America a previously identified. It is time that Maine joins these other States throughout the Country and enacts legislation to help and support our female firefighters who develop work related cancers.

It seems only fair that female cancers be specifically mentioned alongside prostate and testicular cancer of their male counterparts. As I said, Firefighting is a dangerous job and has its unavoidable risks for everyone no matter their gender.

Please consider this Bill to add “gynecologic cancers” to the other cancers currently covered under section 328-B. Thank you for your time.

Respectfully Submitted on this day, Wednesday, February 17th, 2021

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