

DEPARTMENT OF FINANCE BILL ANALYSIS

AMENDMENT DATE: May 28, 2010
POSITION: Oppose
SPONSOR: California Association of Highway Patrolmen and California Professional Firefighters

BILL NUMBER: AB 2253
AUTHOR: J. Coto
RELATED BILLS: AB 128 (Coto)

BILL SUMMARY: Workers' Compensation: Cancer Presumption

This bill would extend the maximum period of time for which a medical diagnosis of cancer is presumed to be a work related illness from five to ten years from the last day worked as a firefighter or peace officer. This bill would entitle this section of the Labor Code the "William Dallas Jones Cancer Presumption Act of 2010".

FISCAL SUMMARY

This bill could result in significant, but unknown, costs to the state associated with the benefits paid for firefighter and peace officers who are diagnosed with cancer. The "presumption" is disputable under specified circumstances and the burden to demonstrate the cancer was not the result of employment as a firefighter or peace officer rests with the state. This bill would allow more firefighters and peace officers and their families to be eligible for a higher level of benefits for both health care and subsistence payments and for a longer period. The costs for medical care and benefits would be attributed to the state and local agencies employing firefighters and peace officers.

In 2009, a substantially similar bill, AB 128 (Coto), addressed the cancer presumption but did not include any time limit on the onset of the cancer. The cost of benefits paid associated with the AB 128 lifetime cancer presumption was estimated to be approximately \$300 million General Fund. The 10-year presumption period would likely be less than the \$300 million estimated for the lifetime eligibility.

SUMMARY OF CHANGES

- The changes to this bill since the analysis do not change our positions on this measure and include:
- Reducing the maximum period of the presumption that a cancer is work related from 15 years to 10 years following the last day of services as a firefighter or peace officer; and
- Reducing the calculation of the amount of time post employment the presumption is in place from 1 year for each year of service to 3 months for each year of service (current law).

COMMENTS

We are opposed to this bill because of the costs to the state and local government associated with this expansion of benefits and eligibility during a time of fiscal austerity.

Analyst/Principal (0250) Date Assistant Program Budget Manager Date

Department Deputy Director Date

Governor's Office: By: Date: Position Approved Position Disapproved

BILL ANALYSIS Form DF-43 (Rev 03/95 Buff)

**BILL ANALYSIS/ENROLLED BILL REPORT--(CONTINUED)**

**AUTHOR**

**AMENDMENT DATE**

**BILL NUMBER**

J. Coto

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AB 2253

Code/Department Agency or Revenue Type	SO	(Fiscal Impact by Fiscal Year)							Fund Code
	LA	(Dollars in Thousands)							
	CO	PROP							
	RV	98	FC	2010-2011	FC	2011-2012	FC	2012-2013	
7350/DIR	SO	No		-----	No/Minor Fiscal Impact	-----			0001
9990/Var Depts	SO	No		-----	See Fiscal Summary	-----			0001