

SESSION OF 2018

SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2719

As Recommended by House Committee on
Federal and State Affairs

Brief*

HB 2719 would revise the definition for “service-connected,” as that term is used to determine death and disability benefits in the Kansas Police and Firemen’s Retirement System (KP&F). Under current law, service-connected causes for death and disability benefits include heart disease, lung or respiratory disease, and cancer. The bill would include hepatitis C and specify certain types of cancer, including brain, skin, digestive system, hematological system, or genitourinary system.

With regard to hepatitis C, a KP&F member would be required to report exposure to hepatitis C within two days after the member knew or reasonably should have known of the exposure. The member would be required to submit to a baseline test, which would be provided by the employer within five days after reporting the exposure. The test would be required to establish the member was not infected at the time of the on-the-job exposure. The member would be required to comply with reasonable and necessary medical procedures. Within 24 months after the exposure, the member would need to be tested to determine whether that individual has contracted hepatitis C.

With regard to cancer, the bill would repeal reference to cancer resulting from exposure to heat, radiation, or a known carcinogen. A member, either at the time of taking a KP&F-covered position or sometime thereafter, would be required to take a physical examination that failed to reveal any of the specified cancers that pre-existed prior to the member’s employment.

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

Background

The bill was introduced by the House Committee on Federal and State Affairs at the request of Representatives Barker and Phelps, who spoke on the behalf of the Kansas State Firefighters Association.

During the House Committee hearing, Representative Phelps spoke in favor of the bill, noting a recent national study that concluded firefighters face an increased risk of certain cancers due to occupational hazards. A representative of the Kansas State Council of Fire Fighters spoke in favor of the bill, noting the study and federal legislation introduced in 2017 to create a national research registry for firefighters. A representative of various law enforcement associations spoke in favor of the bill, stating officers have an increased risk to be exposed to hepatitis C for which there is no vaccine.

A representative of the Kansas Public Employees Retirement System (KPERS or the Retirement System) provided neutral testimony. The conferee noted for most KP&F members, there is no difference between service-connected and nonservice-connected benefits. For disabilities, these members receive 50.0 percent of their final average salary each year until the member is eligible for retirement. A representative of the Kansas State Firefighters Association provided neutral, written-only testimony; it was suggested the language in the bill be generic so as to allow for flexibility in future testing and treatment.

There was no opponent testimony.

According to the fiscal note prepared by the Division of the Budget, in consultation with KPERS, the bill would have a negligible actuarial impact to the Retirement System. While the bill would require the agency to update publications and documents, KPERS indicates costs associated to changes would be handled within existing resources.