SB 94 – Cancer Presumption for Firefighters

Testimony by FF David Parish (City of Grand Rapids Firefighter)

May 22, 2012 MI Senate Judiciary Committee Hearing

Good afternoon. My name is David Parish. I've been a firefighter with the City of Grand Rapids for the past twenty years. I'm here today to testify in support of HB 94 – Cancer Presumption for Firefighters.

HB 94 is not merely a hypothetical issue for me. After my first ten years as a firefighter I was diagnosed with Non-Hodgkin's lymphoma (NHL) cancer.

I had no obvious risk-factors for getting that cancer. I was young (36 years old), a non-smoker, seldom drank, exercised to stay in shape, and ate a healthy diet. My cancer didn't appear to be caused by bad genes; there's no family history for that cancer (and my identical twin brother has been healthy).

Prior to becoming a firefighter, I had no occupational exposure to carcinogens (I had spent 8 years part-time in the MI Army National Guard, 6 years as a student at U of M, and 2 years as a "yuppie" computer programmer for Accenture).

I believe my cancer was primarily a duty-related "injury." Especially during my first years on the department, I was frequently exposed to carcinogenic smoke while fighting fires. More significantly, Non-Hodgkin's lymphoma (NHL) is a "lymphatic" cancer (one of the 7 fire-related cancers that would be covered by SB 94) that has been shown by several studies to be much more prevalent among firefighters. Non-Hodgkin's lymphoma is covered by nearly all of the 33 states that have already passed cancer presumption laws.

I was "lucky" to get one of the "good" cancers (if you had to pick one). NHL responds much better to chemo than most cancers. I went into chemo given odds of an 80% chance of remission. Ten years later, after I going through 6 rounds of chemo, it looks as though I've dodged that bullet and will live to see my 7 year old boy and 10 year old girl grow up.

I was only 36 years old when I was diagnosed with cancer. I had been married for less than 2 years and my daughter was only 3 months old. Ten years ago, facing cancer treatment, I had plenty to worry about besides trying to somehow "prove" that my cancer was caused by my firefighting exposure. Or worry about whether all of my medical expenses would be covered. Or worry about my sick leave running out and leaving me without a paycheck to pay the bills. Or, worst case, worry about my family not receiving adequate death benefits to support them after I was gone.

It's seldom possible for a firefighter to point to a specific fire that can be shown to have caused his cancer. However, many studies have shown that some cancers are linked to firefighting. Passage of SB 94 would mean that getting a firefighting-related cancer would be presumed to be a duty-related injury. The firefighter would then receive the same pension benefits or worker's compensation as if he had received a more obvious firefighting injury such as falling off a roof or being caught in a building collapse.

A firefighter (and his family, especially if he dies from cancer) would receive more adequate compensation with the cancer presumed to be duty versus non-duty related. SB 94 would provide coverage for firefighters (and their families) who might otherwise fall between the cracks of their pension benefits, medical benefits, and ensure that they at least receive worker's compensation for their cancer treatment or death benefits.

...

Some opponents of SB 94 have expressed concern that passage of SB 94 would impose large costs to municipalities' workers compensation premiums. But even the MML Risk Manager estimates there will be only 5 claims for worker's compensation each year. And, historical data from other states with cancer presumption laws show that the increase in costs would be a fraction of 1% each year (these costs are likely to be even lower in Michigan which would cover only non-smoking, full-time active duty firefighters for only 7 firefighting-related cancers).

However, without cancer presumption, the financial costs for those few unfortunate younger firefighters (and their families) who get cancer from firefighting can often be high. And depending on the terms of their contract, they may not be fully-vested (or lack the years of service) to receive adequate pension benefits for their surviving families.

...

I believe passage of SB 94 is the right thing to do to take care of those firefighters (and their families) who get cancer from exposure to carcinogens while firefighting. I don't believe it will cost municipalities much money, but it will mean a lot for those few firefighters who would benefit from cancer presumption.

I thank the Committee for their time, and ask for their support for SB 94.