

SAFETY 101 . . . LESSON-115

CANCER PRESUMPTION LAW IMPACTS

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On July 7, 2011, Act 46 of 2011 was signed into law in Pennsylvania. This law amended the Pennsylvania Workers Compensation Act providing a rebuttable presumption that cancers suffered by firefighters are related to the occupation of firefighting. If you do not have a copy of the law you are encouraged to obtain a copy to fully understand the contents of the Act and the related requirement directed by the Act. Shortly after the Act was signed, PFESI (Pennsylvania Fire & Emergency Services Institute) released a statement which included the following:

The Firefighter Cancer Presumption Law will enable firefighters to receive workers compensation benefits if they develop cancer and can establish exposure to certain carcinogens at fire or hazmat incidents during their careers. The facts include:

- The cancer presumption law applies to any cancer. Firefighters who have served four or more years will be entitled to a presumption that their cancer is job-related, similar to the process used when firefighters suffer from lung cancer, heart disease or more recently, Hepatitis C.

- Firefighter cancer claims may be brought on behalf of any active or retired, career or volunteer firefighter who is being treated or has been treated for cancer, regardless of when their cancer was diagnosed or treated.

- The Cancer Presumption Law extends the period for filing claims to 600 weeks after separation from service. Firefighters who separated as long ago as January 2000 may be entitled to benefits.

- Firefighter cancer claims may also be brought on behalf of surviving family members of firefighters who died as a result of cancer. To qualify for benefits, surviving spouses or dependent children must file a claim within three years of the firefighter's death.

- Volunteer firefighters must participate in PennFIRS reporting to make a cancer claim

and must have passed a physical exam before their service that did not reveal the presence of cancer.

The Act goes on to further state that “the cancer suffered by a firefighter which is caused by a known carcinogen which is recognized as a Group 1 carcinogen by the International Agency for Research on Cancer.” For those who do not know what Group 1 carcinogens are (due to limited space) they are listed on our webpage at LCFA.com.

There are a number of specifics within the Act that you are encouraged to review and fully understand, but two critically important conditions are:

1. Volunteer firefighters must participate in PennFIRS reporting to make a cancer claim; and

2. The firefighter must have passed a physical exam before their service that did not reveal the presence of cancer.

LESSON #115:

“It is important to understand what Cancer presumption laws require and provide to prepare properly to file a potential claim”

Safety 101 –

A safety awareness series from the technical and administrative perspective, designed to help you reduce emergency responder injuries, illnesses, property loss and death!

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Group 1 Carcinogen by the International Agency for Research on Cancer.”

APPENDIX A

Group 1 carcinogens

Substances

- 2-Naphthylamine
- Acetaldehyde (associated with consumption of alcoholic beverages)
- 4-Aminobiphenyl
- Aflatoxins
- Aristolochic acids, (and plants containing them)
- Arsenic and inorganic arsenic compounds1
- Asbestos
- Azathioprine
- Benzene
- Benzidine, and dyes metabolized to
- Benzo[a]pyrene
- Beryllium and beryllium compounds2
- Chlornapazine (N,N-Bis(2-chloroethyl)-2-naphthylamine)
 - Bis(chloromethyl)ether
 - Chloromethyl methyl ether
 - 1,3-Butadiene 1,4-Butanediol
- dimethanesulfonate (Busulphan, Myleran)
- Cadmium and cadmium compounds2
- Chlorambucil
- Methyl-CCNU (1-(2-Chloroethyl)-3-(4-methylcyclohexyl)-1-nitrosourea; Semustine)
- Chromium(VI) compounds
- Ciclosporin
- Clonorchis sinensis (infection with)
- Cyclophosphamide
- 1,2-Dichloropropane
- Diethylstilboestrol
- Epstein-Barr virus
- Estrogen therapy, postmenopausal
- Ethanol in alcoholic beverages
- Erionite
- Ethylene oxide
- Etoposide alone, and in combination with cisplatin and bleomycin
- Fluoro-edenite fibrous amphibole
- Formaldehyde
- Gallium arsenide
- Helicobacter pylori (infection with)
- Hepatitis B virus (chronic infection with)
- Hepatitis C virus (chronic infection with)
- Human herpesvirus 8 (Kaposi sarcoma-associated herpesvirus)
 - Human immunodeficiency virus type 1 (infection with)
 - Human papillomavirus type 16, 18, 31, 33, 35, 39, 45, 51, 52, 56, 58, 59 and 66
 - Human T-cell lymphotropic virus type 1 (HTLV-I)
 - Lindane
 - Melphalan
 - Methoxsalen (8-Methoxypsoralen) plus ultraviolet A radiation
 - 4,4'-Methylenebis(2-chloroaniline) (MOCA)
 - MOPP and other combined chemotherapy including alkylating agents
 - Mustard gas (Sulfur mustard)
 - 2-Naphthylamine
 - Neutron radiation
 - Nickel compounds2
 - 4-(N-Nitrosomethylamino)-1-(3-pyridyl)-1-butanone (NNK)
 - N-Nitrosornicotine (NNN)
 - Opisthorchis viverrini (infection with)
 - Outdoor air pollution
 - Particulate matter in outdoor air pollution
 - 2,3,4,7,8-Pentachlorodibenzofuran
 - 3,4,5,3',4'-Pentachlorobiphenyl(PCB-126)
 - Phosphorus-32, as phosphate
 - Plutonium
 - Radioiodines, short-lived isotopes, including iodine-131, from atomic reactor accidents and nuclear weapons detonation (exposure during childhood)
 - Radionuclides-a particle-emitting, internally deposited
 - Radionuclides-bparticle-emitting, internally deposited
 - Radium-224 and its decay products
 - Radium-226 and its decay products
 - Radium-228 and its decay products
 - Radon-222 and its decay products
 - Schistosoma haematobium (infection with)
 - Silica dust, crystalline (inhaled in the form of quartz or cristobalite from occupational sources)
 - Talc containing asbestiform fibres
 - Tamoxifen6
 - 2,3,7,8-Tetrachlorodibenzo-p-dioxin (TCDD)

Group 1 Carcinogen by the International Agency for Research on Cancer.”

- Thiotepe (1,1',1''-Phosphinothioylidynetrisaziridine)
- Thorium-232 and its decay products, administered intravenously as a colloidal dispersion of thorium-232 dioxide
- Treosulfan
- Trichloroethylene
- o-Toluidine
- Vinyl chloride
- Radiations
- Ionizing radiation (all types)
- Ultraviolet radiation including solar radiation
- X-Radiation and gamma radiation
- Mixtures
- Aflatoxins (naturally occurring mixtures of)
- Alcoholic beverages
- Areca nut
- Betel quid with tobacco
- Betel quid without tobacco
- Coal-tar pitches
- Coal-tars
- Coal, indoor emissions from household combustion of
- Engine exhaust, diesel
- Estrogen-progestogen menopausal therapy, (combined)
- Estrogen-progestogen oral contraceptives (combined)
- Fission products, including Strontium-90
- Leather dust
- Mineral oils, untreated and mildly treated
- Paints containing benzene
- Phenacetin, analgesic mixtures containing
- Plants containing aristolochic acid
- Polychlorinated biphenyls, dioxin-like
- Processed meats, consumption of[3]
- Salted fish (Chinese-style)
- Shale-oils
- Soot (as found in occupational exposure of chimney sweeps)
- Wood dust
- Exposure circumstances
- Acheson process, occupational exposure associated with
- Acid mists, strong inorganic
- Aluminium production
- Auramine production
- Boot and shoe manufacture and repair (see leather Dust and benzene)
- Chimney sweeping (see Soot)
- Coal gasification
- Coal tar distillation
- Coke (fuel) production
- Processed meats
- Furniture and cabinet making (see wood dust)
- Haematite mining (underground) with exposure to radon
- Iron and steel founding (occupational exposure to)
- Isopropanol manufacture (strong-acid process)
- Glass, making of
- Magenta dyes, manufacture of
- Painting (see benzene)
- Paving and roofing with coal tar pitch
- Rubber manufacturing industry
- Sandblasting (see silica dust)
- Smokeless tobacco
- Tobacco smoke, second hand
- Tobacco smoking
- Ultraviolet-emitting tanning devices