

May 5, 2009

The Honorable Tom Patton  
Ohio Senate  
Ohio Statehouse, Senate Office Bldg.  
Columbus, OH 43215

Re: SB 94 Police & Fire Conditions

Dear Senator Patton:

On behalf of the Ohio Township Association (OTA), I am writing to express our opposition to SB 94, which provides that a firefighter, police officer or emergency medical services worker who is disabled as a result of certain types of cancer or certain contagious or infectious disease is presumed for purposes of the laws governing workers' compensation and the Ohio Police and Fire Pension Fund to have incurred the disease while performing official duties as a firefighter, police officer or emergency medical services worker.

Our main concern is that, if enacted, SB 94 will put an additional financial strain on budgets of townships that employ firefighter, police officer and EMS workers. Under the provisions of SB 94 certain types of cancer, requiring disability retirement, will be presumed job-related. While some forms of cancer might be discernible as job-related, such as lung cancer, for others it is difficult to see the relationship between the disease and the occupation. The OTA does not believe certain cases of cancer, such as colon or bladder cancer, call for a presumption. The presumption would considerably increase township premiums and administrative costs while townships across the state face lost revenue in tough economy.

Additionally, under the provisions of SB 94 contagious and infectious diseases, as set by the Public Health Council, are presumed to be job-related. The OTA opposes this presumption. A firefighter, police officer or EMS worker that contracts HIV could have contracted the disease as a result of sexual activity rather than through a job-related incident. Senate Bill 94 would automatically presume that the firefighter, police officer or EMS worker contracted the disease as a result of their job. This is unfair to the local government and the taxpayers that will be responsible for paying the higher workers' compensation costs.

I respectfully urge you to reconsider SB 94 and the financial implications the legislation will have on local governments and the Bureau of Workers' Compensation. Should you have any questions or concerns, please do not hesitate to contact me or OTA Director of Governmental Affairs Heidi M. Fought at (614) 863-0045.

Sincerely,

Michael H. Cochran  
Executive Director

MHC:hf

cc: Chairman Steve Buehrer  
Members of the Senate Insurance, Commerce & Labor Committee