

Hall of the House of Representatives

90th General Assembly - Regular Session, 2015

Amendment Form

Subtitle of House Bill No. 1274

TO AMEND THE PAYMENT FOR CLAIMS TO COVERED PUBLIC EMPLOYEES, DESIGNATED BENEFICIARIES, OR SURVIVORS OF PUBLIC EMPLOYEES.

Amendment No. 1 to House Bill No. 1274

Amend House Bill No. 1274 as originally introduced:

Add Representatives E. Armstrong, Cozart, Della Rosa, Eads, Harris, M. Hodges, Jett, D. Meeks, Neal, Petty, Ratliff, Richey, Sabin, Tucker, Wardlaw, Wright as cosponsors of the bill

AND

Page 2, delete lines 13 through 34 and substitute the following:

"(3)(A)(i) Firefighter killed in the line of duty after January 1, 2012, including death from leukemia, lymphoma, mesothelioma, and multiple myeloma and cancer of the brain, digestive tract, urinary tract, liver, skin, breast, cervical, thyroid, prostate, testicle, or a cancer that has been found by research and statistics to show higher instances of occurrence in firefighters than in the general population, if he or she was exposed to a known carcinogen as determined by the Department of Health with consideration to the findings of the International Agency for Research on Cancer while in the official line of duty.

(ii) Subdivision (a)(3)(A)(i) of this section does not include a firefighter who was diagnosed with cancer prior to the start of firefighter service.

(B) A death benefit under subdivision (a)(3)(A) of this section shall be limited to:

(i) A maximum of one hundred fifty thousand dollars (\$150,000) per individual death, including educational benefits provided in §6-82-501 et seq.; and

(ii) A firefighter who is under the sixty-eight (68) years of age.

(C)(i) The Firefighter Benefit Review Panel is created for the purpose of making recommendations to the Arkansas State Claims Commission regarding determinations of death benefits under subdivision (a)(3)(A) of this section for deaths associated with cancer.

(ii) The panel shall consist of the following seven (7) individuals to be appointed by the Governor:



(a) One (1) licensed oncologist;
(b)(1) Two (2) firefighters paid by the state,
a county, or a municipality.

(2) One (1) firefighter under
subdivision (a)(3)(C)(ii)(b)(1) of this section shall be appointed from a
list of names submitted by the Arkansas Professional Firefighters
Association;

(c)(1) Two (2) volunteer firefighters.
(2) One (1) firefighter under
subdivision (a)(3)(C)(ii)(c)(1) of this section shall be appointed from a
list of names submitted by the Arkansas State Firefighters Association;

(d) One (1) fire chief who may be appointed
from a list of names submitted by the Arkansas Association of Fire Chiefs;
and

(e) One (1) citizen with experience in either
cancer and healthcare professions or firefighter relations.

(iii)(a) Panel members shall serve a term of four
(4) years.

(b) In the event of a vacancy in the
membership of the panel, the Governor shall appoint a person meeting the
applicable eligibility requirements of the vacated position to fill the
vacancy for the remainder of the unexpired term.

(iv)(a) The panel shall hold at least one (1)
regular meeting in each calendar year at a time and place determined by the
panel.

(b) Special meetings may be called at the
discretion of the chair selected under subdivision (a)(3)(C)(v) of this
section.

(v) The panel shall select a chair and vice chair
during the first annual meeting of each four-year term.

(vi) Four (4) members of the panel shall constitute
a quorum to transact business.

(vii) The members of the panel may receive expense
reimbursement in accordance with § 25-16-901 et seq.

(viii) The panel shall:
(a) Render advisory opinions and reports
concerning research and statistics that show higher instances of cancer among
firefighters;

(b) Review claims for death benefits of
firefighters who have died of cancer; and

(c) Make recommendations to the Arkansas State
Claims Commission on death benefit awards under subdivision (a)(3)(A) of this
section.

(D) This section:
(i) Shall not be applied to any other benefits
granted by the state, county, city, or municipality; and
(ii) Does not grant a cause of action against the
state, county, city, or municipality.

SECTION 2. DO NOT CODIFY. Initial appointment of Firefighter Benefit
Review Panel members.

Within thirty (30) days of the effective date of this act, the Governor

shall appoint the initial members of the Firefighter Benefit Review Panel and designate one (1) member of the panel to call the first meeting of the panel."

The Amendment was read _____

By: Representatives Leding, Ballinger, Bell, Dotson, M. Gray

By: Senator J. Woods

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Chief Clerk