

HOUSE BILL NO. HB0066

Firefighter-cancer screening benefits.

Sponsored by: Representative(s) Brown, Byron, O'Hearn, Sommers, Stith, Walters and Wylie and Senator(s) Baldwin, Barlow and Salazar

A BILL

for

1 AN ACT relating to labor and employment; authorizing
2 firefighters to receive annual cancer screenings under the
3 Wyoming's worker's compensation act; making conforming
4 amendments; providing definitions; requiring rulemaking;
5 and providing for effective dates.

6

7 *Be It Enacted by the Legislature of the State of Wyoming:*

8

9 **Section 1.** W.S. 27-14-901 and 27-14-902 are created
10 to read:

11

12

ARTICLE 9

13

FIREFIGHTER CANCER DETECTION AND PREVENTION

14

15 **27-14-901. Short title.**

1

2 This act shall be known and may be cited as the "Aaron
3 Booker Firefighter Cancer Screening Act."

4

5 **27-14-902. Cancer screenings for firefighters;**
6 **requirements.**

7

8 (a) As used in this section, "firefighter" means a
9 person who has been employed or has volunteered as a
10 firefighter for not less than ten (10) years and is
11 classified as a firefighter member as defined by W.S.
12 9-3-402(a)(xxv), a paid fireman as defined by W.S.
13 15-5-201(a)(xi), an employee under W.S. 15-5-402(a)(viii),
14 the state fire marshal and their employees, a volunteer
15 fireman as defined by W.S. 15-5-201(a)(xiv), a volunteer
16 firefighter as defined by W.S. 35-9-616(a)(x) and any
17 person employed by a municipal corporation or private
18 organization who devotes the person's entire time of
19 employment to the provision of fire protection service for
20 a city, town, county or fire protection district.

21

22 (b) Firefighters shall be presumed to have been
23 exposed to cancer causing agents during the course and

1 scope of their employment. These exposures shall be
2 considered work related injuries for which cancer
3 screenings shall be provided as a workers' compensation
4 award under the provisions of this act. No other injury or
5 award shall be presumed or required to be provided pursuant
6 to this subsection but this section shall not prohibit the
7 application of any other presumption or prohibit
8 qualification for any other award under the other
9 provisions of this act.

10

11 (c) Firefighters who are currently employed in that
12 profession shall be provided cancer screenings which shall
13 consist of:

14

15 (i) Breast cancer screenings for female
16 firefighters, to include annual mammograms;

17

18 (ii) Colon cancer screenings, to include, where
19 medically indicated, annual stool based blood testing or
20 colonoscopies;

21

1 (iii) Prostate cancer screenings for male
2 firefighters, to include annual prostate specific antigen
3 tests;

4

5 (iv) Routine screenings for any other cancers
6 the risk or occurrence of which the director of the centers
7 for disease control and prevention has identified as higher
8 among firefighters than among the general public.

9

10 (d) The compensable workplace injury and cancer
11 screenings award provided by subsection (b) and (c) of this
12 section shall continue for not more than ten (10) years
13 after the retirement of a firefighter.

14

15 (e) No workplace award of cancer screening benefits
16 under this section shall be included in the calculation of
17 any employer's experience rating but may be included in any
18 base rate setting procedures conducted by the division.

19

20 **Section** **2.** W.S. 15-5-201(a)(iii),
21 27-14-102(a)(xxvii), 27-15-102(b)(ii) and
22 35-17-106(a)(viii) are amended to read:

23

1 **15-5-201. Definitions.**

2

3 (a) As used in this article:

4

5 (iii) "Compensation Act" means the Wyoming
6 Worker's Compensation Act, W.S. 27-14-101 through ~~27-14-806~~
7 27-14-902;

8

9 **27-14-102. Definitions.**

10

11 (a) As used in this act:

12

13 (xxvii) "This act" means W.S. 27-14-101 through
14 ~~27-14-806~~ 27-14-902;

15

16 **27-15-102. Presumption of occupational disability;**
17 **applicability; exceptions.**

18

19 (b) A presumption established under this act applies
20 to a determination of whether a firefighter's injury,
21 disease, illness, health impairment, disability or death
22 resulted from a listed disease contracted in the course and

1 scope of employment for purposes of benefits or
2 compensation provided under:

3

4 (ii) Workers' compensation benefits paid by or
5 on behalf of an employer to an employee under the
6 provisions of W.S. 27-14-101 through ~~27-14-806~~27-14-902;

7

8 **35-17-106. Election to be covered by federal**
9 **immunity.**

10

11 (a) The state of Wyoming elects to be immediately
12 covered by the immunity granted by the Health Care Quality
13 Improvement Act of 1986, P.L. 99-660, Title IV adopted by
14 Congress in 1986, to the extent authorized, as of the
15 effective date of this section for all health care
16 professional review bodies as defined in the act, for the
17 applicable division of the department of health in its
18 duties under W.S. 33-36-101 through 33-36-115 related to
19 emergency medical services and for:

20

21 (viii) The Wyoming workers' compensation medical
22 commission and any health care provider providing peer

1 reviews or independent medical evaluations, reviews or
2 opinions, W.S. 27-14-101 through ~~27-14-806~~ 27-14-902.

3

4 **Section 3.** The department of workforce services shall
5 promulgate any rules necessary to implement this act.

6

7 **Section 4.**

8

9 (a) Except as otherwise provided by subsection (b) of
10 this section, this act is effective July 1, 2024.

11

12 (b) Sections 3 and 4 of this act are effective
13 immediately upon completion of all acts necessary for a
14 bill to become law as provided by Article 4, Section 8 of
15 the Wyoming Constitution.

16

17 (END)