



Montana Professional Firefighters
200 N. Montana Ave.
Helena, MT 59601



sent via email 6/28/2020

Dear members of the Economic Affairs Interim Committee,

My name is Dave Maslowski, Political Director for Montana Professional Firefighters (Representing both the Montana State Firemen's Association and the Montana State Council of Professional Firefighters). I am currently a career firefighter in Helena, MT and have served as a volunteer, wildland firefighter, and or career firefighter in Montana for the past 13 years.

Thank you for the time and consideration of discussion on Montana's presumptive illness legislation. Its effect on Montana's Firefighters is significant and can not be understated. Those that choose to serve our citizens as both career and volunteer firefighters are beginning to be covered for the illnesses they encounter while on the job.

One of the main discussion points associated with this legislation is burden of proof. Prior to the enactment of this legislation, the entirety of the burden of proof fell solely on the firefighter filing a claim. It would be their responsibility to prove exactly where, when, and from what they contracted an illness, even when statistics show firefighters contract illnesses at higher rates than the general public. Also, these illnesses can be developed through cumulative exposures throughout one's career/service.

Since enacting this legislation, simply put, the burden of proof has just shifted to the insurer instead. Now, the firefighter battling a cancer or illness simply needs to file a claim. It is then up to the insurer to determine if the claimant meets certain criteria. These criteria do include important things such as family history, being a non-tobacco user, and meeting years of service/latency period timeframes. These sideboards to the legislation help prevent outside factors from being covered by the bill. It is only after one of these areas is rebutted by the insurer that the claimant would have to defend the claim.

The next area of importance is the determination of rates for coverage. Many are worried that we will need to increase rates to offset the costs. However, when looking at other states that have passed similar legislation, the rates have either stayed relatively the same or even gone down due to cost savings. The reason for this is built in the sideboards of the bill. It requires a firefighter to be tobacco free to file a claim, and it requires firefighters to undergo a physical at least bi annually to help ensure that we are catching these illnesses early. This leads to earlier detection, diagnosis, and treatment saving money in the long run. All these things combined actually help ensure a healthier workforce providing a cost savings to the insurer, in turn hopefully lowering rates over time. Our legislation is similar to Idaho's where they have seen a 4.2% reduction in Workers Compensation rates since passing their presumptive illness legislation.

Lastly it is important to note that all stake holders were given an opportunity to discuss what level of involvement they would have in this legislation. The Montana Fire Chiefs Association as well as the Montana Fire Alliance representing volunteer firefighters were supportive of presumptive illness coverage for volunteer firefighters being voluntary. It is up to each individual fire district to decide if they want to opt-in to this additional coverage. This leaves the decision at the local level and avoids the legislation being a burden to those districts that cannot afford the coverage.

Thank you for your time and consideration. If you have any further questions or need clarification, please feel free to contact me.

Respectfully,

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