

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: CS/HB 487 Fire Prevention and Control

SPONSOR(S): Government Operations & Technology Appropriations Subcommittee, Fetterhoff

TIED BILLS: **IDEN./SIM. BILLS:** SB 1092

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
1) Insurance & Banking Subcommittee	11 Y, 0 N	Salter	Cooper
2) Government Operations & Technology Appropriations Subcommittee	10 Y, 0 N, As CS	Helpling	Topp
3) Commerce Committee	21 Y, 0 N	Salter	Hamon

SUMMARY ANALYSIS

Cancer has become the second leading cause of death among firefighters. Firefighters have a higher risk of diagnosis and death from cancer than the general U.S. population. Following certain procedures and using specific equipment has been shown to provide enhanced protection for firefighters against frequent exposure to cancer causing agents.

The Division of State Fire Marshal (DSFM), Office of the Director, is located within the Department of Financial Services (DFS). The Division is comprised of the Bureau of Fire Prevention and the Bureau of Fire Standards and Training.

The bill creates the Firefighter Cancer Decontamination Equipment Grant Program within DSFM to provide financial assistance in an effort to help protect firefighters from acquiring cancer. Funds allocated through this program can be used for equipment, supplies, and education training related to mitigating exposure to hazardous fire contaminants. The program will award grants on a need-based basis and require grant recipients to contribute a minimum of 25 percent nonstate funding. DSFM is given rulemaking authority to adopt rules and procedures for the program.

The bill provides a \$250,000 appropriation to DFS for the Firefighter Cancer Decontamination Equipment Grant Program. The bill has no fiscal impact on local government revenue or expenditures. See *Fiscal Analysis & Economic Impact Statement*.

The bill has an effective date of July 1, 2020.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. EFFECT OF PROPOSED CHANGES:

Present Situation

Cancer has become the second leading cause of death to firefighters.¹ Cancer caused 61 percent of career firefighter line of duty deaths between January 1, 2002 and December 31, 2016.² Firefighters have a 9 percent higher risk of being diagnosed with cancer and a 14 percent higher risk of dying from cancer than the general U.S. population.³

Inhalation of dangerous chemicals is one of many cancer-causing risks associated with firefighting, as well as skin absorption.⁴ Newer homes are made with high levels of plastics and synthetics, intensifying the carcinogenic atmosphere firefighters work in.⁵ While performing firefighting activities, body temperature usually increases 3-5 degrees.⁶ With every 5 degree increase in skin temperature, the skin's absorption rate increases by 400%.⁷ The neck area is one of the most likely areas to become contaminated with toxic chemicals, even with the protection of a hood.⁸ Firefighters who have only a single hood experience heightened exposure to hazardous, cancer-causing chemicals, since they cannot immediately decontaminate their hood after use.

In 2016, Florida law established the Firefighter Assistance Grant Program, to annually provide financial assistance to volunteer and combination fire departments.⁹ Grants offered through this program are awarded based on the Florida Fire Service Needs Assessment Survey, which is to be conducted annually by applicants.¹⁰ The goal of the Firefighter Assistance Grant Program is to improve firefighter safety and enable fire departments to provide services to their communities.

In August, 2018, DFS distributed a grant of one million dollars to be dispersed to Florida fire departments. Partial funds were allocated to decontamination kits, used for further prevention of cancer. Over 4,200 kits have been distributed to 405 Florida fire departments, each containing a 5-gallon bucket, detergents, scrub brushes, hoses, and spray bottles, all of which are used to effectively clean gear following a fire.¹¹

Studies have been conducted to determine the best ways to help firefighters prevent cancer on and off the job.¹² These steps include immediate decontamination of equipment, wearing full personal

¹ *Firefighter Cancer Alliance*, Firefighter Cancer Alliance, 2018.

² Robert Daniels, *NIOSH Science Blog*, Centers for Disease and Control Prevention (May 2017), blogs.cdc.gov/niosh-science-blog/2017/05/10/ff-cancer-facts/ (last visited Nov. 27, 2019).

³ National Institute for Occupational Safety and Health conducted a study on 30,000 firefighters located in three different metro areas, focusing on understanding the potential link between firefighting and cancer.

⁴ *Taking Action against Cancer in the Fire Service*, Firefighter Cancer Support Network (Aug. 2013),

<https://firefightercancersupport.org/wp-content/uploads/2017/11/taking-action-against-cancer-in-the-fire-service-pdf.pdf> (last visited Nov. 25, 2019).

⁵ Marilyn Meyer, *Florida Doesn't Have a Presumptive-Cancer Law*, *The Ledger* (Oct. 2017),

<https://www.theledger.com/news/20171021/florida-doesnt-have-presumptive-cancer-law> (last visited Nov. 20, 2019) (quoting Jim Davis, Program Coordinator at Polk State College Fire Science Technology Program).

⁶ *Firefighter Cancer Reduction and Decontamination Suggested Guideline*, NJ Department of Community Affairs.

⁷ *Taking Action Against Cancer in the Fire Service*, Firefighter Cancer Support Network (Aug. 2013).

⁸ Kenneth Fent, *et al*, *Evaluation of Dermal Exposure to Polycyclic Aromatic Hydrocarbons in Fire Fighters*, U.S. Department of Health and Human Services Centers for Disease Control and Prevention National Institute for Occupational Safety and Health, Dec. 2013. Report No. 2010-0156-3196.

⁹ S. 633.135, F.S.

¹⁰ *Id.*

¹¹ *CFO and State Fire Marshal Jimmy Patronis Delivers Cancer-Fighting Kits to Orange County Fire Rescue*, Press Release (Aug. 2018) <https://www.myfloridacfo.com/sitePages/newsroom/pressRelease.aspx?id=5083> (last visited Nov. 20, 2019).

¹² *See generally*, Chief Todd J. LeDuc, *6 Ways to Reduce Cancer in the Fire Service*, International Fire Chiefs Association (Nov. 2019), <https://www.iafc.org/iCHIEFS/iCHIEFS-article/6-ways-to-reduce-cancer-in-the-fire-service> (last visited Nov. 25, 2019); Chief James P. Seavey Sr., *Lavender Ribbon Report: 11 Actions to Mitigate the Risk of Cancer*, International Fire Chiefs Association (Aug. 2019).

protective equipment throughout an entire incident, providing a second set of gear to each firefighter within a department, and keeping contaminated equipment out of interior areas, especially following exposure to combustion.¹³ When a firefighter enters an atmosphere with fire, smoke, or byproducts of combustion, he or she comes into contact with a number of cancer-causing chemicals, including but not limited to arsenic, benzene, cadmium, chlorophenols, carbon monoxide, formaldehyde, and vinyl chloride.¹⁴ Proper education, use, and storage of equipment will lessen the extent of contact with these hazardous post-fire contaminants. With only a single set of gear, a firefighter must wait until the end of a shift to decontaminate his or her gear, potentially elongating exposure to cancer-causing chemicals. Funds from this program will assist departments' abilities to have the proper gear and equipment offered to all firefighters.

The Federal Government has appropriated funds to assist the Centers for Disease Control and Prevention in creating and maintaining a registry of firefighters, in an effort to track occupational history and related incidences of cancer.¹⁵ Additionally, the National Fire Protection Association requires firefighters to receive annual medical examinations, improving efforts to track the correlation between work and health.¹⁶

Effect of Proposed Changes

The bill creates the Firefighter Cancer Decontamination Equipment Grant Program (program), within DSFM, to assist in protecting firefighters from exposure to hazardous post-fire contaminants.

The program will award financial assistance to fire departments, including volunteer departments, on a need-based basis. Grant applicants must include a minimum of 25 percent nonstate funding. Funds awarded will assist fire departments in purchasing equipment like decontamination kits and additional personal protective gear, used to reduce the risk of cancer. Fire departments can also allocate grant funds to other equipment and educational training.

The DSFM is given rulemaking authority to adopt rules and procedures for the program that require grant recipients to:

- Report their activity to the DSFM for submission in the Fire and Emergency Incident Information Reporting System created under s. 633.136, F.S.
- Comply with the Florida Firefighters Occupational Safety and Health Act, under ss. 633.502-633.536, F.S.
- Comply with any other rule determined by the State Fire Marshal to effectively and efficiently implement, administer, and manage the program.

The bill provides \$250,000 in recurring funds from the Insurance Regulatory Trust Fund to implement the program.

B. SECTION DIRECTORY:

Section 1: Creates s. 633.137, F.S., relating to the Firefighter Cancer Decontamination Equipment Grant Program.

Section 2: Provides an appropriation.

2018), https://www.iafc.org/docs/default-source/1vcos/vcoslavendarribbonreport.pdf?sfvrsn=13f88b0d_8 (last visited Nov. 25, 2019). Grace LeMasters, *et al*, *Cancer Risk Among Firefighters: A Review and Meta-Analysis of 32 Studies*. *J Occup. Environ. Med.*, 48, 1189-202 (2006).

¹³ *Lavender Ribbon Report: 11 Actions to Mitigate the Risk of Cancer*, pg. 9.

¹⁴ Jesse Roman, *Facing Cancer*, *National Fire Protection Association Journal* (May 2017), <https://www.nfpa.org/News-and-Research/Publications-and-media/NFPA-Journal/2017/May-June-2017/Features/Facing-Cancer> (last visited Nov. 25, 2019).

¹⁵ Firefighter Cancer Registry Act of 2018, H.R. 931, 115th Cong. (2018).

¹⁶ NFPA 1582: Standard on Comprehensive Occupational Medical Program for Fire Departments, Chapter 7.

Section 3: Provides an effective date.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None.

2. Expenditures:

The bill provides \$250,000 in recurring funds from the Insurance Regulatory Trust Fund to implement the program. According to DFS, the program will not require staffing beyond current resources.¹⁷

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

2. Expenditures:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None.

D. FISCAL COMMENTS:

None.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

Not applicable. This bill does not appear to require counties or municipalities to spend funds or take action requiring the expenditure of funds; reduce the authority that counties or municipalities have to raise revenues in the aggregate; or reduce the percentage of state tax shared with counties or municipalities.

2. Other:

None.

B. RULE-MAKING AUTHORITY:

DSFM is given rulemaking authority to adopt rules and procedures for the Firefighter Cancer Decontamination Equipment Grant Program.

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

¹⁷ Email from Meredith Stanfield, Director of Legislative and Cabinet Affairs, Department of Financial Services, RE: HB 487 Decontamination Grant Program Questions (Nov. 22, 2019).

IV. AMENDMENTS/ COMMITTEE SUBSTITUTE CHANGES

On Wednesday, January 15, 2020, the Government Operations & Technology Appropriations Subcommittee adopted one amendment and reported the bill favorably as a committee substitute. The amendment provided \$250,000 in recurring funds from the Insurance Regulatory Trust Fund to implement the program.

This analysis is drafted to the committee substitute as passed by the Government Operations & Technology Appropriations Subcommittee.