

FLORIDA HOUSE OF REPRESENTATIVES

BILL ANALYSIS

This bill analysis was prepared by nonpartisan committee staff and does not constitute an official statement of legislative intent.

BILL #: [HB 813](#)

TITLE: Firefighter Cancer Benefits and Prevention

SPONSOR(S): Busatta

COMPANION BILL: [SB 984](#) (DiCeglie)

LINKED BILLS: None

RELATED BILLS: None

Committee References

[Government Operations](#)

18 Y, 0 N



[Budget](#)



[State Affairs](#)

SUMMARY

Effect of the Bill:

The bill:

- Provides that the \$75,000 death benefit for firefighters who die as a result of cancer is available for one year after the firefighter terminates employment.
- Removes language expressly limiting a one-time \$25,000 cash payout to a firefighter's *initial* diagnosis of cancer.
- Eliminates the requirement that a former firefighter have elected continued health coverage in order to receive the \$25,000 payout during the 10-year post-employment eligibility period.

Fiscal or Economic Impact:

The bill will likely have an indeterminate, negative fiscal impact on the state and local governments.

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ANALYSIS

EFFECT OF THE BILL:

The bill provides that the \$75,000 [death benefit](#) for firefighters who die as a result of cancer or circumstances arising out of the treatment of cancer must be made available by the former employer for one year after the firefighter terminates employment, provided the firefighter was not subsequently employed as a firefighter. (Section [1](#))

The bill removes the term “initial” from the [firefighter cancer benefit](#) provision authorizing a one-time \$25,000 cash payout upon a firefighter’s “initial diagnosis of cancer.” As a result, the payout will no longer be expressly limited to a firefighter’s first cancer diagnosis. (Section [1](#))

The bill also removes the requirement that, in order to receive the \$25,000 payout for up to 10 years after terminating employment, a former firefighter must have elected to continue in an employer-sponsored health plan or group health insurance trust fund. Under the bill, a former firefighter who otherwise meets the eligibility criteria may receive the \$25,000 payout during that 10-year period regardless of whether health coverage is continued. (Section [1](#))

The bill removes a duplicative grant of rulemaking authority. (Section [1](#))

The effective date of the bill is July 1, 2026. (Section [2](#))

RULEMAKING:

The bill removes a duplicative grant of rulemaking authority requiring the Division of State Fire Marshal within the Department of Financial Services to adopt rules establishing certain employer cancer prevention best practices.

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DATE: 1/21/2026

Another provision in current law provides the same rulemaking authority and that provision is not amended by the bill and remains in effect.¹ The division has adopted rule 69A-62.025, F.A.C, relating to employer cancer prevention best practices, pursuant to this authority.

Lawmaking is a legislative power; however, the Legislature may delegate a portion of such power to executive branch agencies to create rules that have the force of law. To exercise this delegated power, an agency must have a grant of rulemaking authority and a law to implement.

FISCAL OR ECONOMIC IMPACT:

STATE GOVERNMENT:

The bill will likely have an indeterminate, negative fiscal impact on state government. The bill modifies eligibility and timing requirements for certain cancer and death benefits for current and former firefighters. As a result, the state may incur additional costs related to firefighter cancer and death benefits in some circumstances. However, to the extent fewer former firefighters elect to continue coverage in an employer-sponsored health plan or group health insurance trust fund solely to remain eligible for the \$25,000 payout, some costs associated with continued health coverage may be avoided. The overall fiscal impact is indeterminate at this time as the number of qualifying firefighters and potential claims cannot be readily ascertained; however, the fiscal impact is expected to be insignificant.

LOCAL GOVERNMENT:

The bill will likely have an indeterminate, negative fiscal impact on local governments. The bill modifies eligibility and timing requirements for certain cancer and death benefits for current and former firefighters. As a result, local governments may incur additional costs related to firefighter cancer and death benefits in some circumstances. However, to the extent fewer former firefighters elect to continue coverage in an employer-sponsored health plan or group health insurance trust fund solely to remain eligible for the \$25,000 payout, some costs associated with continued health coverage may be avoided. The overall fiscal impact is indeterminate at this time as the number of qualifying firefighters and potential claims cannot be readily ascertained; however, the fiscal impact may be significant.

RELEVANT INFORMATION

SUBJECT OVERVIEW:

Firefighter Cancer Benefits

Current law provides specified benefits to firefighters who are diagnosed with certain cancers.² To qualify, a firefighter must be employed full time as a firefighter (or Florida-certified fire investigator) and must have been employed by the same employer for at least five continuous years. A firefighter is not eligible if he or she:

- Used tobacco products in the preceding five years; or
- Has been employed in any other position within the preceding five years that is proven to create a higher risk for cancer.³

Upon a qualifying cancer diagnosis, an eligible firefighter is entitled to the following benefits, as an alternative to pursuing workers' compensation benefits:

- Coverage for cancer treatment under an employer-sponsored health plan or group health insurance trust fund, including reimbursement for any out-of-pocket deductible, copayment, or coinsurance costs incurred as a result of cancer treatment.

¹ See s. [633.520, F.S.](#)

² The qualifying cancers include bladder, brain, breast, cervical, colon, esophageal, invasive skin, kidney, large intestinal, lung, malignant melanoma, mesothelioma, multiple myeloma, non-Hodgkin's lymphoma, oral cavity and pharynx, ovarian, prostate, rectal, stomach, testicular, and thyroid cancers. [S. 112.1816\(1\)\(a\), F.S.](#)

³ See [s. 112.1816\(2\), F.S.](#)

- A one-time cash payout of \$25,000 upon the firefighter's initial diagnosis of cancer.
- Leave time and employee retention benefits equivalent to those provided for other injuries or illnesses incurred in the line of duty.⁴

If a firefighter elects to continue coverage in the employer-sponsored health plan or group health insurance trust fund after terminating employment, the health coverage and cash payout benefits must be made available by the former employer for 10 years following the firefighter's termination of employment, provided the firefighter met the eligibility criteria at the time of separation and was not reemployed as a firefighter.⁵

Death Benefits

Current law provides death benefits to firefighters who die as a result of cancer or circumstances arising out of the treatment of cancer. If the firefighter participated in an employer-sponsored retirement plan, the plan must consider the firefighter to have died in the line of duty.⁶ If the firefighter did not participate in an employer-sponsored retirement plan, the employer must provide a death benefit to the firefighter's beneficiary equal to at least 42 percent of the firefighter's annual salary for at least 10 years.⁷ In addition, the beneficiary is entitled to a one-time payment of \$75,000.⁸

BILL HISTORY

COMMITTEE REFERENCE	ACTION	DATE	STAFF DIRECTOR/ POLICY CHIEF	ANALYSIS PREPARED BY
Government Operations Subcommittee	18 Y, 0 N	1/21/2026	Toliver	Villa
Budget Committee				
State Affairs Committee				

⁴ [S. 112.1816\(2\)\(a\)-\(c\), F.S.](#)

⁵ [S. 112.1816\(2\), F.S.](#)

⁶ [S. 112.1816\(4\)\(a\), F.S.](#)

⁷ [S. 112.1816\(4\)\(b\), F.S.](#)

⁸ [S. 112.1816\(4\)\(c\), F.S.](#)