

By the Committee on Governmental Oversight and Accountability; and Senators DiCeglie, Smith, and Arrington

585-02773-26

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A bill to be entitled

An act relating to firefighter cancer benefits and prevention; amending s. 112.1816, F.S.; revising conditions under which a specified one-time payment must be made by a former employer upon a firefighter's cancer diagnosis; requiring a former employer to provide death benefits for a specified timeframe under certain circumstances; deleting the requirement for the Division of State Fire Marshal to adopt rules for establishing employer cancer prevention best practices; providing a finding and declaration of important state interest; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Subsection (2), paragraph (c) of subsection (4), and subsection (6) of section 112.1816, Florida Statutes, are amended to read:

112.1816 Firefighters; cancer diagnosis.—

(2) Upon a diagnosis of cancer, a firefighter is entitled to the following benefits, as an alternative to pursuing workers' compensation benefits under chapter 440, if the firefighter has been employed by his or her employer for at least 5 continuous years, has not used tobacco products for at least the preceding 5 years, and has not been employed in any other position in the preceding 5 years which is proven to create a higher risk for any cancer:

(a) Cancer treatment covered within an employer-sponsored health plan or through a group health insurance trust fund. The

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30 employer must timely reimburse the firefighter for any out-of-
31 pocket deductible, copayment, or coinsurance costs incurred due
32 to the treatment of cancer. If the firefighter elects to
33 continue coverage in the employer-sponsored health plan or group
34 health insurance trust fund after he or she terminates
35 employment, such benefits must be made available by his or her
36 former employer for 10 years after the date on which the
37 firefighter terminated employment so long as the firefighter
38 otherwise met the criteria specified in this subsection when he
39 or she terminated employment and was not employed as a
40 firefighter after that date.

41 (b) A one-time cash payout of \$25,000, upon the
42 firefighter's initial diagnosis of cancer. Such benefit must be
43 made available by his or her former employer for 10 years after
44 the date on which the firefighter terminates employment so long
45 as the firefighter otherwise met the criteria specified in this
46 subsection when he or she terminated employment and was not
47 employed as a firefighter after that date.

48 (c) Leave time and employee retention benefits equivalent
49 to those provided for other injuries or illnesses incurred in
50 the line of duty.

51
52 ~~If the firefighter elects to continue coverage in the employer-~~
53 ~~sponsored health plan or group health insurance trust fund after~~
54 ~~he or she terminates employment, the benefits specified in~~
55 ~~paragraphs (a) and (b) must be made available by the former~~
56 ~~employer of a firefighter for 10 years following the date on~~
57 ~~which the firefighter terminates employment so long as the~~
58 ~~firefighter otherwise met the criteria specified in this~~

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59 subsection when he or she terminated employment and was not
60 subsequently employed as a firefighter following that date.

61 (4)

62 (c) Firefighters who die as a result of cancer or
63 circumstances that arise out of the treatment of cancer are
64 considered to have died in the manner as described in s.
65 112.191(2) (a), and all of the benefits arising out of such death
66 are available to the deceased firefighter's beneficiary. Such
67 death benefits must be made available by the former employer of
68 the firefighter for 1 year after the date on which the
69 firefighter terminated employment so long as the firefighter
70 otherwise met the criteria specified in this subsection when he
71 or she terminated employment and was not employed as a
72 firefighter after that date.

73 (6) ~~The Division of State Fire Marshal within the~~
74 ~~Department of Financial Services shall adopt rules to establish~~
75 ~~employer cancer prevention best practices as it relates to~~
76 ~~personal protective equipment, decontamination, fire suppression~~
77 ~~apparatus, and fire stations.~~

78 Section 2. The Legislature finds and declares that this act
79 fulfills an important state interest.

80 Section 3. This act shall take effect July 1, 2026.