

**By** the Committees on Appropriations; and Governmental Oversight and Accountability; and Senators DiCeglie, Smith, and Arrington

576-03007-26

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

13  
14 Be It Enacted by the Legislature of the State of Florida:

15  
16           Section 1. Subsection (2), paragraph (c) of subsection (4),  
17           and subsection (6) of section 112.1816, Florida Statutes, are  
18           amended to read:

19           112.1816 Firefighters; cancer diagnosis.—

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

28           (a) Cancer treatment covered within an employer-sponsored  
29           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 which occurs after the  
43 individual was employed as a firefighter. Such benefit must be  
44 made available by his or her former employer for 10 years after  
45 the date on which the firefighter terminated employment so long  
46 as the firefighter otherwise met the criteria specified in this  
47 subsection when he or she terminated employment and was not  
48 employed as a firefighter after that date.

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

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

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59 ~~firefighter otherwise met the criteria specified in this~~  
60 ~~subsection when he or she terminated employment and was not~~  
61 ~~subsequently employed as a firefighter following that date.~~

62 (4)

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

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

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

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