

BILL ANALYSIS

Senate Research Center
77R5428 ATP-F

S.B. 1108
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DIGEST AND PURPOSE

Currently, firefighters perform approximately 80 percent of all emergency medical service responses. Some fire departments are first responders, providing initial treatment until medical help arrives, while others provide rescue, treatment, and transport to emergency facilities. In the course of such work, firefighters are exposed to a number of deadly diseases, including tuberculosis. As proposed, S.B. 1108 provides a rebuttable presumption that the contracting of tuberculosis by a public safety employee, including a firefighter, is in the course and scope of employment.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Chapter 607, Government Code, by adding Section 607.005, as follows:

Sec. 607.005. EMPLOYEE BENEFITS FOR TUBERCULOSIS. (a) Provides that the contracting of tuberculosis by a public safety employee is presumed to be an illness contracted in the course and scope of the person's employment. Requires the employing political subdivision to provide the salary and benefits that the employee would receive if employed by the political subdivision until the employee's death and to reimburse the employee for all medical expenses incurred by the employee as a result of contracting tuberculosis. Provides that the benefits received under this section are instead of any benefits provided by Chapter 504 (Worker's Compensation Insurance Coverage for Employees of Political Subdivisions), Labor Code.

(b) Authorizes the political subdivision to rebut the presumption by establishing by clear and convincing evidence that the public safety employee contracted tuberculosis in a manner outside the course and scope of the person's employment.

SECTION 2. Effective date: September 1, 2001.
Makes application of this Act prospective.