

Date of Hearing: July 9, 2025

ASSEMBLY COMMITTEE ON INSURANCE

Lisa Calderon, Chair

SB 230 (Laird) – As Amended March 4, 2025

SENATE VOTE: 39-0

SUBJECT: Workers' compensation: firefighters

SUMMARY: Expands the classes of firefighters who receive presumptions for specific injuries or illnesses in the workers' compensation system.

Specifically, **this bill:**

- 1) Expands the rebuttable presumptions for heart disease, hernias, pneumonia, tuberculosis, blood-borne infectious disease or methicillin-resistant *Staphylococcus aureus* skin infection (MRSA), bio-chemical illness, and meningitis to all of the following active firefighting members of:
 - a) A fire department that serves a *United States Department of Defense (DOD) installation* and is certified by the United States Department of Defense as meeting its standards for firefighters.
 - b) A fire department that serves a *National Aeronautics and Space Administration (NASA) installation* and adheres to training standards established in accordance with specified Health and Safety Code provisions, and
 - c) A fire department that provides fire protection to a *commercial airport* regulated by the Federal Aviation Administration (FAA) and is trained and certified by the State Fire Marshall.
- 2) Expands the rebuttable presumptions for cancer and post-traumatic stress disorder injuries to active firefighting members of a fire department that provides fire protection to a commercial airport.

EXISTING LAW:

- 1) Establishes a comprehensive system of workers' compensation that provides a range of benefits for an employee who suffers from an injury or illness that arises out of and in the course of employment, regardless of fault. This system requires all employers to insure payment of benefits by either securing the consent of the Department of Industrial Relations to self-insure or by obtaining insurance from a company authorized by the state. (Labor Code §§3200-6002)
- 2) Creates a series of rebuttable presumptions of an occupational injury for peace and safety officers for the purpose of the workers' compensation system. These presumptions include:
 - heart disease
 - hernias
 - pneumonia
 - cancer

- tuberculosis
 - blood-borne infectious disease or methicillin-resistant *Staphylococcus aureus* skin infection (MRSA)
 - bio-chemical illness, and
 - meningitis
- 3) The compensation awarded for these injuries must include full hospital, surgical, medical treatment, disability indemnity, and death benefits, as provided by workers' compensation law. (Labor Code §§3212-3213.2)
 - 4) Provides, until January 1, 2029, a rebuttable presumption that a diagnosis of Post-Traumatic Stress Disorder (PTSD) injuries for specified peace officers and firefighters is an occupational injury. The benefit includes full hospital, surgical, medical treatment, disability indemnity, and death benefits, but only applies to peace officers who have served at least six months. (Labor Code §3212.15)

FISCAL EFFECT: None.

COMMENTS:

- 1) *Purpose:* According to the author, "Firefighters put their lives on the line to protect our communities, and they deserve the same access to care no matter where they work. Senate Bill 230 closes a gap in workers' compensation coverage by extending existing presumptions to federal firefighters, and those stationed at NASA facilities and airports. These brave professionals face the same risks and illnesses as their peers across the state. This bill ensures all California firefighters receive equitable and timely care for injuries and illnesses sustained on the job."
- 2) *Presumptions:* Presumptions of compensability have generally been adopted to reflect unique circumstances where injuries or illnesses appear to logically be work related, but it is difficult for the employee to prove it is work related. It is worth noting that while the statute provides that presumptions are rebuttable, rebutting a presumption would require the employer to prove the illness/injury was not work related. This requirement to prove a negative renders any illness/injury subject to a presumption automatically compensable in fact.

The author and sponsors note that the NASA and airport firefighters are not federal employees. They are privately contracted and get state workers' compensation benefits. The Legislature has previously extended some workers' compensation presumptions for these firefighters. DOD and NASA firefighters are already afforded rebuttable presumptions for cancer and post-traumatic stress disorder injuries.

The sponsors note that firefighters at all these facilities perform duties that municipal or county firefighters might not encounter regularly. This includes "dangerous chemical fires, interacting with heavy equipment such as airplanes or related machinery, or responding to fires involving military apparatus [and] extended exposures to toxic chemicals such as PFAS contained in aqueous film forming foam (AFFF) used at airports and other facilities to extinguish flammable liquid fires."

- 3) *Commercial Airport Firefighters:* According to the sponsor of the bill, the only commercial airport in California with privately employed firefighters is Hollywood Burbank Airport. Firefighters at the other commercial airports in California are employed by a local government agency and are covered by existing presumption provisions.

REGISTERED SUPPORT / OPPOSITION:

Support

Burbank Airport Professional Firefighters, Local #i-61
California Federation of Labor Unions, Afl-cio
California Professional Firefighters
Moffett Field Firefighters Association Local I-79
Nasa Jpl Professional Firefighters Local I-94

Opposition

None on file.

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