

128th MAINE LEGISLATURE

FIRST REGULAR SESSION-2017

Legislative Document

No. 67

H.P. 54

House of Representatives, January 11, 2017

An Act To Improve Insurance Coverage for First Responders Answering a Call to Duty

Reference to the Committee on Labor, Commerce, Research and Economic Development suggested and ordered printed.

ROBERT B. HUNT Clerk

R(+ B. Hunt

Presented by Representative DEVIN of Newcastle. Cosponsored by Senator BREEN of Cumberland and

Representatives: STEWART of Presque Isle, THERIAULT of China.

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 39-A MRSA §201, sub-§7 is enacted to read:

7. Injury to firefighter or emergency medical services person. There is a rebuttable presumption that a personal injury to a paid or volunteer firefighter or a paid or volunteer emergency medical services person considered an employee within the meaning of this Act is considered to arise out of and in the course of employment and is compensable under this Act if the personal injury occurs at any time after the firefighter or emergency medical services person receives notice of a fire or emergency and is in the process of responding. An employer providing self-insurance or an insurer providing workers' compensation insurance may not seek to limit benefits under this Act to a firefighter or emergency medical services person to a personal injury that occurs only after the firefighter or emergency medical services person begins traveling on a public way.

14 SUMMARY

This bill creates a rebuttable presumption that a personal injury to a paid or volunteer firefighter or a paid or volunteer emergency medical services person considered an employee within the meaning of the Maine Workers' Compensation Act of 1992 is considered to arise out of and in the course of employment and is compensable under the Act if the personal injury occurs at any time after the firefighter or emergency medical services person receives notice of a fire or emergency and is in the process of responding.