



# Cancer Presumption for Fire Fighters



SB 1569 BY SENATOR BAILEY

HB 335 BY REPRESENTATIVE HICKS

**What's the most common work-related injury that fire fighters endure?  
It's not falling through a roof or being cut by glass. **It's cancer.****

Fire Fighters face many hazards in the line of duty. Some of these hazards can be seen, but most cannot. Fires generate toxic contaminants, some that are known or suspected to cause cancer.

Today's fires are not what they used to be. Homes are not made of what they used to be. When the contents of the homes burn, they release toxic chemicals into the air where firefighters inhale or absorb the toxins.

## Notable NIOSH Study Findings:

- Fire fighters had more cancer deaths and cancer cases than expected.
- Excess mortality from all cancers and several site-specific cancers was observed.
- Some cancers occurred at a higher-than-expected rate among younger fire fighters.
- The large study population and follow up for the NIOSH study strengthen the evidence for the relationship between fire fighting and cancer.
- The number of deaths from all causes combined (i.e., not just cancer) among the fire fighters did not differ from the expected number based on death rates in the general population.

## Cancer Statistics

Results from the National Institute for Occupational Safety and Health's (NIOSH) multi-year (1950-2009) study of nearly 30,000 fire fighters have been released. This is one of the most comprehensive studies ever done. It showed that fire fighters, on average, have a higher risk of certain types of cancer compared to the general population and a higher rate of death.

This study provides further evidence that fire fighters are at increased risk of certain types of cancer as a result of occupational exposure.

In 2018, President Trump signed legislation requiring the CDC to set up a registry of firefighters that will track links between their workplace exposures and cancer.



# What This Legislation Accomplishes:

- A presumptive disability law links a particular occupation with a disease or condition that has been shown to be a hazard associated with that occupation.
- In most basic terms: if a fire fighter has cancer, then that cancer is presumed to come from exposure associated with being a fire fighter.
- Currently, the presumptive law in TN includes colon cancer, melanoma skin cancer, non-melanoma skin cancer, multiple myeloma and non-Hodgkin's lymphoma. This bill adds leukemia and testicular cancer to the presumption. Most other states cover a more expansive list of cancers.
- Fire fighters must have undergone standard tests or pre-employment testing and found to be cancer free prior to seeking this presumption and must have worked for 5 or more years.
- After leaving the fire service, fire fighters may still seek this presumption for a period of 4 months for each full year of serve not to exceed 120 months commencing with the last actual date of service.
- Employers can challenge that the cancer did not come from fire fighting but from some other cause or primary cause.



**SB 1569 by Senator Bailey • HB 335 by Representative Hicks**

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## Definitions:

**Fire Fighter:** means any full time paid employee of a fire department of the state or any county, municipal, or any political subdivision of the state who's job requires them to respond to the scene of incidents and who's job is required to extinguish and control fires or fire-related incidents.

**Classified service:** means any job classification that requires the employee to respond to the scene of incidents and who's job is required to extinguish and control fires or fire-related incidents.

**Cancer:** currently includes colon cancer, melanoma skin cancer, non-melanoma skin cancer, multiple myeloma and non-Hodgkin's lymphoma and this legislation updates to add leukemia, and testicular cancer.

**Employer:** means the state, any county, municipal, or any political subdivision of the state.

**Rebuttable Disability Presumption:** A presumption of disability, which can be defeated by evidence to the contrary.