

DAVID Y. IGE
GOVERNOR

SHAN S. TSUTSUI
LIEUTENANT GOVERNOR



LINDA CHU TAKAYAMA
DIRECTOR

LEONARD HOSHIJO
DEPUTY DIRECTOR

STATE OF HAWAII
DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS
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February 25, 2016

The Honorable Della Au Belatti, Chair
Committee on Health
House of Representatives
State Capitol, Room 426
Honolulu, Hawaii 96813

Dear Chair Au Belatti:

Subject: House Concurrent Resolution (HCR) 32 Requesting the Convening of a Task Force to Examine Cancer in the Firefighting Profession

I am Manuel P. Neves, Chair of the State Fire Council (SFC) and Fire Chief of the Honolulu Fire Department (HFD). The SFC and the HFD strongly support HCR 32.

HCR 32 proposes to form a Firefighter Cancer Presumptive Task Force to develop recommendations for enactment of a cancer presumptive statute relating specifically to fire fighters. We believe it is imperative that each county fire department is represented through the SFC, as the health and safety of fire personnel are high priorities for each fire department. Other named task force participants will contribute to a better understanding of the various challenges related to this important issue

The SFC and the HFD strongly urge your committee's passage of HCR 32

Should you have questions, please contact SFC Administrator Socrates Bratakos at 723-7105 or sbratakos@honolulu.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read "MANUEL P. NEVES".

MANUEL P. NEVES
Chair

MPN/EYS:clc

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STATE OF HAWAII
DEPARTMENT OF HEALTH
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Testimony Offering Comments for HCR0032
REQUESTING THE CONVENING OF A TASK FORCE TO EXAMINE
CANCER IN THE FIREFIGHTING PROFESSION

HOUSE COMMITTEE ON HEALTH

Hearing Date: February 26, 2016

Room Number: 329

1 **Fiscal Implications:** None.

2 **Department Testimony:** Firefighters are potentially exposed to various mixtures of
3 particulates, gases, mists, and fumes of an organic and/or inorganic nature that may have acute,
4 toxic and carcinogenic effects. There are nearly 2,000 state and county firefighters in nearly 100
5 fire stations throughout Hawaii, and for some, the long-term health consequences of workplace
6 exposure to harmful toxicants may only become apparent after retirement. Studies conducted on
7 occupational risk indicates potential increased risk for cancer among firefighters. The
8 Department of Health is willing to participate in a proposed Task Force to examine issues
9 relating to cancer risks for the firefighting profession in Hawaii.

10 Thank you for the opportunity to testify.

DAVID Y. IGE
GOVERNOR



JAMES K. NISHIMOTO
DIRECTOR

CINDY S. INOUE
DEPUTY DIRECTOR

STATE OF HAWAII
DEPARTMENT OF HUMAN RESOURCES DEVELOPMENT
235 S. BERETANIA STREET
HONOLULU, HAWAII 96813-2437

February 25, 2016

**TESTIMONY TO THE
HOUSE COMMITTEE ON HEALTH**

For Hearing on Friday, February 26, 2016
10:00 a.m., Conference Room 329

BY

JAMES K. NISHIMOTO
DIRECTOR

House Concurrent Resolution No. 32
Requesting the Convening of a Task Force
To Examine Cancer in the Firefighting Profession

WRITTEN TESTIMONY ONLY

TO CHAIRPERSON DELLA AU BELATTI AND MEMBERS OF THE COMMITTEE:

Thank you for the opportunity to provide comments on H.C.R. 32.

H.C.R. 32 requests the convening of a task force to examine cancer in the firefighting profession.

The Department of Human Resources Development ("DHRD") has a fiduciary duty to administer the State's self-insured workers' compensation program and its expenditure of public funds. In that regard, DHRD respectfully submits these comments on the resolutions.

As a public employer which is self-insured and self-administered for its workers' compensation liabilities, including those for firefighters employed by the State Department of Transportation, Airports Division, the State has a clear and substantial interest in the matters that the putative task force would examine, including but not limited to: 1) recommendations for revisions to state workers' compensation laws that expedite the delivery of workers' compensation benefits for firefighters diagnosed with

cancer; 2) estimated costs to the State and counties were there to be an increase in workers' compensation benefits for firefighters diagnosed with cancer; and 3) amending or adopting administrative rules that can improve workers' compensation benefits for firefighters diagnosed with cancer. Since the resolution as presently constituted does not include the State's central human resources department, we respectfully suggest that the enumerated list of task force members in the resolution be amended as follows to expressly include: "One member representing the State of Hawaii Department of Human Resources Development."

DAVID Y. IGE
GOVERNOR



THOMAS WILLIAMS
EXECUTIVE DIRECTOR

KANOE MARGOL
DEPUTY EXECUTIVE DIRECTOR

STATE OF HAWAII
EMPLOYEES' RETIREMENT SYSTEM

TESTIMONY BY THOMAS WILLIAMS
EXECUTIVE DIRECTOR, EMPLOYEES' RETIREMENT SYSTEM
STATE OF HAWAII

TO THE HOUSE COMMITTEE ON HEALTH
ON

HOUSE CONCURRENT RESOLUTION NO. 32

FEBRUARY 26, 2016, 10:00 A.M.

REQUESTING THE CONVENING OF A TASK FORCE TO EXAMINE CANCER IN THE
FIREFIGHTING PROFESSION

Chair Bellati, Vice Chair Creagan and Members of the Committee,

HCR 32 requests a task force to examine the issues related to cancer in the firefighting profession. The task force will include a representative of the Employees' Retirement System (ERS) and one of its main purposes is to provide recommendations for revisions to the state workers' compensation laws, administrative rules and benefits for firefighters diagnosed with cancer.

As the ERS does not have a role in workers' compensation determinations, the ERS staff has no position on this resolution or to our participation on this task force.

An ancillary connection between workers' compensation and ERS benefits may be that ERS members are required to file for workers' compensation in order to submit a claim for ERS service-connected disability benefits. The approval of workers' compensation benefits, however, does not guarantee that a member will be approved for service-connected disability retirement and does not have any impact on the outcome of the disability application. All disability cases are reviewed by the ERS Medical Board which consists of three physicians. Recommendations by the Medical Board to the ERS Board of Trustees (Board) are based on medical records, reports and interviews with the claimant. Upon review, the Board may decide to approve, deny or remand Medical Board recommendations.



Employees' Retirement System
of the State of Hawaii

Section 88-79, HRS, provides for service-connected disability benefits for a member who is permanently incapacitated for duty as the natural and proximate result of an accident occurring while in the actual performance of duty or as the cumulative result of an occupational hazard. This section already includes a rebuttable presumption that firefighters, police officers and sewer workers who are permanently incapacitated for duty as a result of any disease of the heart, lungs, or respiratory system, contracted such disease while in the performance of duty and as the result of the inherent occupational hazard of exposure to smoke inhalation, toxic gases, chemical fumes, and other toxic vapors.

These benefits are typically higher than regular retirement benefits and have no minimum age or service requirements. As a word of caution, should the task force recommend legislation to obtain higher ERS benefits with additional cancer presumptive causes, the task force's mandate could result in the enhancement of benefits. This would be contrary to Act 29, Session Laws of Hawaii 2011, which placed a moratorium on retirement benefit enhancements until the ERS becomes fully funded. Any benefit enhancement would increase the ERS' \$8.7 billion unfunded liability, increase employer contributions and would lengthen the period required for the ERS to become fully funded. The ERS Board of Trustees will likely oppose any legislation which provides for enhanced retirement benefits and/or increases the System's unfunded liability.

Thank you for the opportunity to provide testimony on this resolution.



UNIVERSITY OF HAWAII SYSTEM

Legislative Testimony

Written Testimony Presented Before the
House Committee on Health
Friday, February 26, 2016 at 10:00 a.m.

By

Robert Bley-Vroman, Chancellor

And

Jerris Hedges, MD, MS, MMM

Dean, John A. Burns School of Medicine

Interim Director, University of Hawai'i Cancer Center

University of Hawai'i at Mānoa

HCR 32 – REQUESTING THE CONVENING OF A TASK FORCE TO EXAMINE CANCER IN THE FIREFIGHTING PROFESSION

Chair Belatti, Vice Chair Creagan, and Members of the Committee:

The University of Hawai'i Cancer Center provides the following comments regarding this resolution.

The UH Cancer Center's mission is to reduce the burden of cancer through research, education, and patient care with an emphasis on the unique ethnic, cultural, and environmental characteristics of Hawai'i and the Pacific. The UH Cancer Center is one of only 69 institutions in the United States that hold the prestigious National Cancer Institute (NCI) designation, and the only NCI-designated center in the Pacific. The NCI designation provides cancer researchers in Hawai'i with greater access to federal funding and research opportunities, and gives the people of Hawai'i and the Pacific region access to many innovative and potentially life-saving clinical trials without the necessity of traveling to the mainland.

Our perspective on health-related legislative matters is informed by scientific literature, including research conducted by our own faculty. We appreciate the opportunity to participate in the proposed task force.

William P. Kenoi
Mayor



Darren J. Rosario
Fire Chief

Renwick J. Victorino
Deputy Fire Chief

County of Hawai'i
HAWAII FIRE DEPARTMENT
25 Aupuni Street • Suite 2501 • Hilo, Hawai'i 96720
(808) 932-2900 • Fax (808) 932-2928

February 24, 2016

The Honorable Della Au Belatti, Chair
Committee on Health
House of Representatives
State Capitol, Room 426
Honolulu, Hawaii 96813

**Subject: HCR 32, Requesting the convening of a task force to
examine cancer in the firefighting profession**
Hearing Date: Thursday, February 25, 2016
Time/Place of Hearing: 1:00 p.m., Conference Room 211

Dear Chair Au Belatti:

I am Darren J. Rosario, member of the Hawaii State Fire Council (SFC) and Fire Chief of the Hawaii Fire Department of the County of Hawaii (HCFD). The SFC and the HCFD strongly support HCR 32.

HCR 32 proposes to form a Firefighter Cancer Presumptive Task Force to develop recommendations for enactment of a cancer presumptive statute relating specifically to firefighters. We believe it is imperative that each county fire department is represented through the SFC, as the health and safety of fire personnel are high priorities for each fire department. Other named task force participants will contribute to a better understanding of the various challenges related to this important issue.

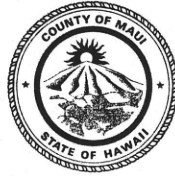
We, therefore, urge your support on the passage of HCR 32. Should you have questions, please contact me at 808-932-2903 or darren.rosario@hawaiicounty.gov

Very Truly Yours,

DARREN J. ROSARIO
Fire Chief



ALAN M ARAKAWA
MAYOR



JEFFREY MURRAY
FIRE CHIEF

ROBERT SHIMADA
DEPUTY FIRE CHIEF

COUNTY OF MAUI
DEPARTMENT OF FIRE & PUBLIC SAFETY

200 DAIRY ROAD
KAHULUI, HI 96732
(808) 270-7561
Fax (808) 270-7919

February 24, 2016

The Honorable Della Au Belatti, Chair
Committee on Health
House of Representatives
State Capitol, Room 426
Honolulu, Hawaii 96813

Dear Chair Au Belatti:

Subject: House Concurrent Resolution (HCR) 32 Requesting the Convening of a Task Force to Examine Cancer in the Firefighting Profession

I am Jeffrey A. Murray, Member of the State Fire Council (SFC) and Fire Chief of the Maui Fire Department (MFD). The SFC and the MFD strongly support HCR 32.

HCR 32 proposes to form a Firefighter Cancer Presumptive Task Force to develop recommendations for enactment of a cancer presumptive statute relating specifically to firefighters. We believe it is imperative that each county fire department is represented through the SFC, as the health and safety of fire personnel are high priorities for each fire department. Other named task force participants will contribute to a better understanding of the various challenges related to this important issue.

The SFC and the MFD strongly urge your committee's passage of HCR 32

Should you have questions please contact me at (808) 270-7561 or fire.dept@mauicounty.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Jeffrey A. Murray", is written over a circular stamp or seal.

JEFFREY A. MURRAY, Chief
Maui Fire Department



HAWAII FIRE FIGHTERS ASSOCIATION

INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS LOCAL 1463, AFL-CIO
1018 PALM DRIVE | HONOLULU, HAWAII 96814
TEL: (808) 949-1566 FAX: (808) 952-6003
www.hawaiifirefighters.org

HOUSE OF REPRESENTATIVES
THE TWENTY-EIGHTH LEGISLATURE
REGULAR SESSION OF 2016

FEBRUARY 26, 2016

Committee on Health

Testimony by
Hawaii Fire Fighters Association, Local 1463

**HCR 32 REQUESTING THE CONVENING OF A TASK FORCE TO EXAMINE CANCER IN THE
FIRE FIGHTING PROFESSION**

My name is Robert H. Lee and I am the President of the Hawaii Fire Fighters Association (HFFA), Local 1463, IAFF, AFL-CIO. The HFFA represents approximately 2,100 active-duty professional fire fighters throughout the State. We **SUPPORT** HCR 32, as it relates to the convening of a task force to examine cancer in the firefighting profession.

Thirty-three states and eight Canadian provinces already have cancer presumptive laws that provide fire fighters with medical and service-connected disability benefits. Several studies, as recommended by the International Association of Fire Fighters (IAFF), serve as the basis that demonstrates the growing need for cancer presumptive legislation locally. In addition, despite our fire departments' efforts in improving procedures for cleaning the protective clothing and breathing apparatus, fire fighters are still exposed to carcinogens and toxicants while performing their duties as a study administered in 2014 entitled "Systemic Exposure to PAHs and Benzene in Firefighters Suppressing Controlled Structure Fires" have recently discovered. Such exposure to these carcinogens and toxicants during a fire fighter's career may not result in immediate manifestation of symptoms or cancer diagnosis but instead, years after retirement.

HCR 32 requests the convening of a task force that will examine the issues and make recommendations based on their findings relating to cancer in the firefighting profession. With the ever-increasing number in statistics through research conducted by legitimate, prominent organizations and researchers relating to the risk of cancer as well as infectious diseases and illnesses associated with exposure to patient care and biochemical substances for fire fighters in comparison to the general population, it is important that discussion begins.

HFFA appreciates the Committee's favorable consideration of this measure and ask that you pass HCR 32.

HLTtestimony

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 25, 2016 9:19 PM
To: HLTtestimony
Cc: dylanarm@hawaii.edu
Subject: *Submitted testimony for HCR32 on Feb 26, 2016 10:00AM*

HCR32

Submitted on: 2/25/2016

Testimony for HLT on Feb 26, 2016 10:00AM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
Dylan Armstrong	Individual	Support	No

Comments:

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

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