

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 82ND LEGISLATIVE REGULAR SESSION
Revision 1

April 26, 2011

TO: Honorable Harold V. Dutton Jr., Chair, House Committee on Urban Affairs

FROM: John S O'Brien, Director, Legislative Budget Board

IN RE: HB2075 by Martinez, "Mando" (Relating to certain diseases or illnesses suffered by firefighters and emergency medical technicians.), **As Introduced**

No fiscal implication to the State is anticipated.

The bill would amend Chapter 607 of the Government Code relating to certain diseases or illnesses suffered by firefighters and emergency medical technicians (EMT). A firefighter or an EMT who suffers an acute myocardial infarction or stroke resulting in disability or death is presumed to have suffered the disability or death during the course and scope of employment if it occurred while on duty.

The bill would add Section 607.0565 to include that a firefighter or an EMT who suffers from acquired immune deficiency syndrome, human immunodeficiency virus, hepatitis B or C is presumed to have contracted the disease or illness during the course and scope of employment if while on duty the firefighter or EMT was exposed to contagious fluids or pathogens known to cause the diseases or illness. A firefighter or an EMT who suffers from methicillin-resistant *Staphylococcus aureus* is presumed to have become infected during the course and scope of employment if while on duty the firefighter or EMT was exposed to an event involving documented exposure to the bacterium.

The bill would include a presumption under Section 607.0565 that may be rebutted through a showing by a preponderance of evidence that a risk factor, accident, hazard, or other cause not associated with the individual's service caused the individual's disease or illness.

Local Government Impact

There could be costs to a local governmental entity, but the amounts would vary depending on the number of applicable incidences and the current policies.

The Austin-Travis County Emergency Medical Services (ATCEMS) reported there would be estimated costs for two employee's salaries and benefits (\$154,000). The amounts are based on the assumption that ATCEMS could potentially lose up to two paramedics in one fiscal year due to the increased legal protection for paramedics who might acquire certain contagious diseases due to exposures that occurred in the line of service. ATCEMS noted the number of paramedics that might be taken off of an ambulance and unable to work due to capturing a contagious disease from exposure is based on available data regarding the frequency that paramedics encounter exposure.

Source Agencies: 411 Commission on Fire Protection

LBB Staff: JOB, KKR, TP, ESi, DAR