

HOUSE No. 2320

The Commonwealth of Massachusetts

PRESENTED BY:

Sheila C. Harrington

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act to amend the presumptive disability law.

PETITION OF:

NAME:

DISTRICT/ADDRESS:

Sheila C. Harrington

1st Middlesex

Jennifer L. Flanagan

Worcester and Middlesex

HOUSE No. 2320

By Mrs. Harrington of Groton, a petition (accompanied by bill, House, No. 2320) of Sheila C. Harrington and Jennifer L. Flanagan for legislation to include blood-borne infectious diseases in line-of-duty death and disability benefits for police officers and firefighters. Public Service.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 2356 OF 2013-2014.]

The Commonwealth of Massachusetts

**In the One Hundred and Eighty-Ninth General Court
(2015-2016)**

An Act to amend the presumptive disability law.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Section 1. Chapter 32 of the General Laws, as appearing in the 2010 Official Edition, is
2 hereby amended by inserting after section 94B the following section: -

3 Section 94C. Notwithstanding the provisions of any general or special law to the
4 contrary affecting the non-contributory or contributory system, any condition of impairment of
5 health caused by a blood-borne infectious disease resulting in total or partial disability or death
6 to a uniformed member of a paid fire department or permanent member of a police department,
7 or of the police force of the Massachusetts Bay Transportation Authority, or of the state police,
8 or of the public works building police, or to any employee in the department of correction or a
9 county correctional facility whose regular or incidental duties require the care, supervision or
10 custody of prisoners, criminally insane persons or defective delinquents, or to any permanent

11 crash crewman, crash boatman, fire controlman or assistant fire controlman employed at the
12 General Edward Lawrence Logan International Airport, or members of the Massachusetts
13 military reservation fire department, shall, if he successfully passed a physical examination on
14 entry into such service, or subsequently successfully passed a physical examination, which
15 examination failed to reveal any evidence of such condition, be presumed to have been suffered
16 in the line of duty, unless the contrary be shown by competent evidence.

17 As used in this section the words “permanent member of a police department” shall
18 include a permanent member of the park police of a city or town. For purposes of this section,
19 “blood-borne infectious disease” shall mean human immunodeficiency virus [HIV], acquired
20 immunodeficiency syndrome [AIDS], and all strains of hepatitis.