HOUSE DOCKET, NO. 3029 FILED ON: 1/18/2013

HOUSE . . . . . No. 2356

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*

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HOUSE . . . . . No. 2356

By Ms. Harrington of Groton, a petition (accompanied by bill, House, No. 2356) of Sheila C. Harrington for legislation to include blood-borne infectious diseases in line of duty death and disability benefits for police officers and fire fighters. Public Service.

The Commonwealth of Massachusetts

In the Year Two Thousand Thirteen

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:

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

Section 94C. Notwithstanding the provisions of any general or special law to the contrary affecting the non-contributory or contributory system, any condition of impairment of health caused by a blood-borne infectious disease resulting in total or partial disability or death to a uniformed member of a paid fire department or permanent member of a police department, or of the police force of the Massachusetts Bay Transportation Authority, or of the state police, or of the public works building police, or to any employee in the department of correction or a county correctional facility whose regular or incidental duties require the care, supervision or custody of prisoners, criminally insane persons or defective delinquents, or to any permanent crash crewman, crash boatman, fire controlman or assistant fire controlman employed at the General Edward Lawrence Logan International Airport, or members of the Massachusetts military reservation fire department, shall, if he successfully passed a physical examination on entry into such service, or subsequently successfully passed a physical examination, which examination failed to reveal any evidence of such condition, be presumed to have been suffered in the line of duty, unless the contrary be shown by competent evidence.

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