



## Legislation Text

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**File #:** 24-168, **Version:** 1

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A Resolution adopting and entering into The Trust Agreement for The Colorado Firefighter Heart, Cancer, And Behavioral Health Benefits Trust and taking other actions in connection therewith

**Presenter:**

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**Summary:**

A presentation on The Colorado Firefighter Heart and Cancer Benefits Trust which was created to aid the state's fire professionals and agencies to contain the human and financial burdens created by serious health issues by providing mandated cardiac and voluntary cancer benefits to the state's firefighters. The Trust program was designed with input from the Colorado Professional Fire Fighters, Colorado State Fire Chiefs, the state Division of Insurance, as well as individuals from municipal, county and special district fire agencies.

There has been no previous council action on this item.

**Background:**

Heart

In 2014, Governor Hickenlooper signed a bill that created CRS 29-5-302, which requires that fire agencies provide firefighters with coverage for heart and circulatory malfunctions. The Colorado Firefighter Benefits Trust's Heart Program enables Colorado's fire departments to meet this requirement and safeguard their firefighters from the human and financial burdens created by cardiac incidents.

Benefits

- The Trust goes beyond the requirements of CRS 29-5-302
- Provides financial certainty for the state's fire service professionals
- State funding in partnership with DOLA allows the Trust to provide this coverage at no cost to members
- The coverage offsets out of pocket costs during a health crisis
- Trust benefits kick in before vacation or sick time are used
- Uses a broad definition of stressful or strenuous work event that is more inclusive of a firefighter's activities
- Processes payments within ten days of receipt of all completed required forms
- Benefit levels are based on diagnosis, with 100% of the eligible award granted at diagnosis with additional biweekly payments (less offsets)
- Liability defense provision helps with challenges based on differing interpretations of the law
- Pays out the limit less offsets, while competitors cease payments upon return to work

Cancer

In 2007, statutory changes in Colorado presumed cancer to be a workers' compensation issue for firefighters. The intent was to ensure quality care for the state's fire service professionals. But for firefighters affected by cancer, this often meant long legal battles and invasive medical inquiries to obtain benefits.

Ten years later, Governor Hickenlooper signed Senate Bill 17-214, which lets fire departments work around the 2007 law and ensure the kind of quality care their firefighters deserve. This bill allows fire departments to join the Colorado Firefighter Benefits Trust's Cancer Program and move cancer out of workers' compensation and move into an alternative program.

In 2021, the Trust reached another milestone by adding breast cancer coverage for all firefighters. This decision helps promote inclusivity in Colorado's fire service by recognizing the percentage of female firefighters have increased in the industry from 2% to 7%. In 2022, the Trust added thyroid cancer to its list of covered cancers.

#### Benefits

- No more long waits for benefits - Benefits kick in upon diagnosis and payment is dispensed within ten days of receipt of all required completed documentation. No more waiting for inquiries, no more court battles.
- Scaled awards based on condition - Firefighters will receive payments based on the type and stage of their cancer, not based on court rulings
- Recognition of service - Under this program, cancer will be considered a line of duty condition
- Tax-free benefits - Except rehabilitation payments, awards in the Cancer program are not taxable

#### Membership

Currently, there are 98 Districts and Municipalities participating in the Heart Program.  
Currently, there are 103 Districts and Municipalities participating in the Cancer Program.  
The Behavioral Health Trust is available to all firefighters in Colorado and has been accessed by Colorado Springs Firefighters in their time of need.

This item supports the City's strategic goal relating to collaborative relationships by partnering with the Trust to provide supportive coverage to our firefighters who have a higher level of exposure to stressful and hazardous situations and thus have increased incidents of heart, cancer and behavioral health injuries.

#### **Previous Council Action:**

N/A

#### **Financial Implications:**

Cost of \$118,000 per year, covered through existing funds through 2026 and then budgeted within the Fire Department from 2027 and thereafter.

#### **City Council Appointed Board/Commission/Committee Recommendation:**

N/A

#### **Stakeholder Process:**

City Human Resources, City Attorney's Office and Finance were the main stakeholders, who were all

involved in the process.

**Alternatives:**

N/A

**Proposed Motion:**

Approve a Resolution adopting and entering into The Trust Agreement for The Colorado Firefighter Heart, Cancer, And Behavioral Health Benefits Trust and taking other actions in connection therewith

N/A