

2023 -- H 5201

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2023

A N A C T

RELATING TO TOWNS AND CITIES -- RELIEF OF INJURED AND DECEASED FIRE
FIGHTERS AND POLICE OFFICERS -- PRESUMPTION FOR HEART DISEASE AND
HYPERTENSION

Introduced By: Representatives Craven, O'Brien, Vella-Wilkinson, Noret, and Costantino

Date Introduced: January 19, 2023

Referred To: House Municipal Government & Housing

It is enacted by the General Assembly as follows:

1 SECTION 1. Chapter 45-19 of the General Laws entitled "Relief of Injured and Deceased
2 Fire Fighters and Police Officers" is hereby amended by adding thereto the following section:

3 **45-19-16.1. Presumption for heart disease and hypertension.**

4 (a) Notwithstanding the provisions of any general or special law to the contrary, any
5 firefighter, as defined in § 45-19-1, who is unable to perform the duties required thereof because
6 of an impairment of health caused by heart disease, stroke or hypertension is presumed to have
7 suffered an in-the-line-of duty injury/disability, unless the contrary can be proven by clear and
8 convincing evidence; and the firefighter shall be entitled to all benefits provided for in chapters 19,
9 21, 21.2 and 21.3 of this title.

10 (b) This presumption shall not apply to firefighters hired after July 1, 2023 in the following
11 situations:

12 (1) If a physical examination was conducted at the time the firefighter was hired and the
13 examination revealed that person was suffering from heart disease or hypertension.

14 (2) If the firefighter had regularly or habitually used tobacco products during the five (5)
15 years prior to any diagnosis of heart disease or hypertension or suffering a stroke.

1 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

A N A C T

RELATING TO TOWNS AND CITIES -- RELIEF OF INJURED AND DECEASED FIRE
FIGHTERS AND POLICE OFFICERS -- PRESUMPTION FOR HEART DISEASE AND
HYPERTENSION

1 This act would allow a firefighter who is unable to perform duties as a result of heart
2 disease, stroke or hypertension to be presumed to have suffered an in-the-line-of-duty disability,
3 unless the firefighter was hired after July 1, 2023, and there is clear and convincing evidence that
4 the firefighter suffered the condition at the time of hire or regularly used tobacco products for the
5 five (5) years prior to diagnosis.

6 This act would take effect upon passage.

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