

KANSAS OFFICE *of*  
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LEGISLATURE *of* THE STATE *of* KANSAS  
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300 SW TENTH AVENUE ■ SUITE 24-E ■ TOPEKA, KS 66612 ■ (785) 296-2321

**MEMORANDUM**

To: Chairman Kelly and members of the House Financial Institutions and Pensions Committee

From: David Wiese, Assistant Revisor

Date: February 6, 2019

Subject: **HB 2031; Amending the definition of "service-connected" in the Kansas police and firemen's retirement system.**

House Bill No. 2031 amends the definition of "service-connected" in the Kansas police and firemen's retirement system (KP&F) to include contraction of a bloodborne pathogen and to include specific cancers of the brain, skin, digestive system, hematological system and genitourinary system.

Under KP&F members receive certain benefits if a member dies or is disabled due to service-connected causes. Under current law a rebuttable presumption exists that certain causes of death or disability are service-connected if the member has at least five years of service. Currently, such service-connected causes include heart disease, lung or respiratory tract disease, or cancer.

In cases of exposure to a bloodborne pathogen, the bill requires the member to report exposure to the bloodborne pathogen within two days after the member reasonably should have known about the exposure. The member must also submit to a baseline test performed by the employer within five days of the report of exposure and such test must show that the member was not infected at the time of the on-the-job exposure. The member must also comply with reasonable and necessary medical procedures and testing must show that the member has such bloodborne pathogen within two years after the on-the-job exposure.

With respect to cancer, the bill strikes language requiring the cancer be of a type which generally results from exposure to heat, radiation, or a known carcinogen and replaces it with the specific types of cancers listed above. Additionally, the member must have had a prior physical examination at the time the member became a policeman or fireman, or thereafter, that failed to reveal substantial evidence of such cancer that preexisted the member's employment as a policeman or fireman.

The bill was introduced by the Joint Committee on Pensions, Investments and Benefits as part of the committee's recommendations during the 2018 interim.

The bill becomes effective upon publication in the statute book.