

UNDERSTANDING WORKERS' COMPENSATION FOR CANCER



This factsheet was developed by the International Association of Fire Fighters and the Firefighter Cancer Support Network.

Workers' compensation and associated processes can be confusing and overwhelming to navigate, especially while undergoing cancer treatment. Being informed about what will be required to obtain coverage for treatment within your state, province, or territory for your cancer diagnosis may help alleviate some stress and anxiety.

Workers' compensation laws and policies vary by state, province, or territory and can change over time, but the following will help you navigate the subject and know what questions you should be asking your Local president or department leadership.

WHAT IS WORKERS' COMPENSATION?

Workers' compensation is a type of insurance employers must have to provide workers with monetary benefits or medical care if a worker gets injured or dies on the job. When a worker gets injured or acquires an illness because of an occupational exposure or incident, they may be able to file a claim to have costs of treatment and disability covered or reimbursed.

In the case of occupational disease presumptions, not every case is covered. Even if presumption coverage is present, benefits may not be equal to those offered for traditional on-the-job injuries.

HOW TO FIND OUT WHAT IS COVERED

If you are diagnosed with a disease or injury, it is important to review presumptive legislation for your state, province, or territory to:

- Understand what the coverage/benefits are.
- Identify any qualifiers or disqualifiers to receiving the benefits. This may include sunsets, age restrictions, years of service, or personal behaviors.

The IAFF tracks presumptive coverage at iaff.org/presumptive-health. Your Local president or department leadership are also a great resource to help understand what is and isn't covered under presumptive legislation.

HOW TO APPLY FOR PRESUMPTIVE COVERAGE

To apply for presumptive coverage, here are a few steps to pursue a workers' comp claim:

1. Contact your supervisor, department, or Local liaison to identify the initial steps of the process and to ensure you qualify for the coverage.
2. Gather medical documentation of your diagnosis from your treating physician(s). It is important to keep them updated with your workers' compensation process as you may need letters of support linking the disease to your occupation.
3. Establish contact with risk management and workers' compensation representatives.
 - There may be individuals who represent local and/or state governments or a workers' compensation insurance company contracted by one of those organizations.
4. Be diligent about completing paperwork in a timely manner and ensure you keep copies for yourself and keep them organized.



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HOW YOUR SUPPORT SYSTEM CAN HELP

A workers' compensation claim is a time-consuming process so do not do it alone. Have a caregiver or family member help you keep track of the paperwork, medical records, and deadlines. Organization is essential. Let others help you:

- Track all your contacts, appointments, mileage, documents, questions, etc.
- Promptly complete documents and keep copies

If you do not have someone to rely on, consider contacting the Firefighter Cancer Support Network (FCSN) (firefightercancersupport.org) for resources, tools, and support. FCSN can also provide a fire fighter mentor who has had the same or a similar cancer.

BUILDING A RAPPORT WITH RISK MANAGEMENT/WORKERS' COMP

Establishing a relationship between labor, management, and those responsible for managing the workers' compensation program for your organization can help move the process along more quickly when a member files a claim.

- Local leadership should take a role in educating human resources, risk management, and workers' compensation personnel on cancer in the fire service and the increased risk.
- It is important to ensure those managing the workers' compensation program are aware of what cancers are currently covered in their jurisdictions.
- It is valuable to help these decision makers develop an understanding of fire fighters' work and associated risks so that they can be advocates for robust coverage.

UNION LEADERSHIP - WHAT TO DO WHEN SOMEONE IS DIAGNOSED

When a member is diagnosed with cancer, it is important to assist them if the member is receptive. Some efforts include offering assistance with:

- Getting to and from medical appointments.
- Filing a workers' compensation claim.
- Doing home chores and projects, such as:
 - Mowing the lawn.
 - Grocery shopping.
 - Completing any projects already started.
- Providing meals prepared by department members.
- Reviewing associated presumptive coverage for applicability.
- Reviewing applicable SOPs to assist the member in filing for benefits.