# Local Government Mandate Statement Kentucky Legislative Research Commission 2018 Regular Session

#### **Part I: Measure Information**

Bill Request #: 1030							
Bill #: SB 77							
<b>Document ID #:</b> <u>1824</u>							
Bill Subject/Title: AN ACT relating to workers' compensation for rescue squad employees.							
Sponsor: Senator Dorsey D. Ridley							
Unit of Government: X City X County X Urban-County   Unified Local Unified Local Unified Local Unified Local Unified Local							
X Charter County X Consolidated Local X Government							
Office(s) Impacted: Fire Departments, Local Emergency Management Agencies,							
Requirement: <u>X</u> Mandatory Optional							
Effect on Powers & Duties: X Modifies Existing Adds New X Eliminates Existing							

### Part II: Bill Provisions and the Estimated Fiscal Impact Relating to Local Government

Senate Bill 77 amends KRS 39F.170 to require that rescue squad members be covered under workers' compensation when rendering first aid because the rescue squad members are required by the authorizing statute to provide such aid. Currently, KRS 39F.170 stipulates that rescue squad organizations and individuals shall not be covered when the primary purpose of the mission is the provision of emergency medical care or first aid.

#### The fiscal impact of SB 77 on local governments is expected to be minimal to none.

The Kentucky Fire Commission currently provides workers compensation coverage for all of the fire departments and volunteer ambulance services throughout the state. Kentucky Emergency Management provides workers compensation insurance coverage for search and rescue squads when called upon to provide specialized search and rescue activities (i.e. dive teams, search dogs, high angle rescues, etc.). Rescue squads may operate in conjunction with a fire division or may operate as a separate unit. Rescue squads must be authorized to operate within a jurisdiction and have a formal affiliation with the local disaster and emergency services organization. This statement of affiliation must be renewed annually. In order to perform specialized rescue squad activities, the persons assigned to a specialized rescue squad activity must meet the training requirements specified by statute and by administrative regulation.

Rescue squads meeting the requirements set forth in KRS 39F.010 through 39F.120 and conducting activities permitted by statute, receive workers compensation coverage provided by Kentucky Emergency Management. Local governments do not reimburse Kentucky Emergency Management for workers compensation coverage.

Emergency Management stated that this bill could potentially cause a significant increase in their workers compensation costs. If rescue squads perform first aid or emergency medical care as their primary purpose, there is potential for an increase in the number of injuries and workers compensation claims. Because workers compensation costs are based on the numbers of persons covered and the number of past injuries, increasing the number of rescue squads missions likely increases the number of workers compensation incidents, thus increasing costs. This leads to a perception that there will be an overall increase in costs at the state level rather than at the local level. Because of the perception that workers compensation costs could increase, Emergency Management Services stated they are not in favor of this bill.

The Fire Commission stated that this bill would not have a financial impact on them.

Lastly, Floyd County Emergency and Rescue Squad stated that rescue squads are not the first responders to a scene. They are typically called into action by first responders who require specialized rescue services and as such do not render first aid as their primary function. This was echoed by both the Fire Commission and Emergency Management Services.

## Part III: Differences to Local Government Mandate Statement from Prior Versions

The Part II section above pertains to the bill as introduced and there are not any prior introduced versions of the bill to complete the Part III section.

Data Source(s):	Kentucky Emergency Management Services, Kentucky Fire Commission,
	Floyd County Emergency and Rescue Squad, Kentucky Board of
	Emergency Medical Services.

<b>Preparer:</b>	Mark Offerman	<b>Reviewer:</b>	KHC	Date:	1/19/18
------------------	---------------	------------------	-----	-------	---------