

HOUSE _____ AMENDMENT NO. _____

Offered By _____

AMEND House Committee Substitute for Senate Bill No. 145, Page 5, Section 67.319, Line 53,
by inserting after all of said section and line, the following:

“87.005. 1. Notwithstanding the provisions of any law to the contrary, after five years' service, any condition of impairment of health caused by any infectious disease, disease of the lungs or respiratory tract, hypertension, or disease of the heart resulting in total or partial disability or death to a uniformed member of a paid fire department, who successfully passed a physical examination within five years prior to the time a claim is made for such disability or death, which examination failed to reveal any evidence of such condition, shall be presumed to have been suffered in line of duty, unless the contrary be shown by competent evidence. In order to receive the presumption that an infectious disease was contracted in the line of duty, the member shall submit to an annual physical examination, at which a blood test is administered.

2. This section shall apply only to the provisions of chapter 87, RSMo 1959.

3. As used in this section, the term "infectious disease" means the human immunodeficiency virus, acquired immunodeficiency syndrome, tuberculosis, hepatitis A, hepatitis B, hepatitis C, hepatitis D, diphtheria, meningococcal meningitis, methicillin-resistant staphylococcus aureus, hemorrhagic fever, plague, rabies, and severe acute respiratory syndrome.

87.006. 1. Notwithstanding the provisions of any law to the contrary, and only for the purpose of computing retirement benefits provided by an established retirement plan, after five years' service, any condition of impairment of health caused by any infectious disease, disease of the lungs or respiratory tract, hypotension, hypertension, or disease of the heart resulting in total or partial disability or death to a uniformed member of a paid fire department, who successfully passed a physical examination within five years prior to the time a claim is made for such disability or death, which examination failed to reveal any evidence of such condition, shall be presumed to have been suffered in the line of duty, unless the contrary be shown by competent evidence. In order to receive the presumption that an infectious disease was contracted in the line of duty, the member shall submit to an annual physical examination, at which a blood test is administered.

1 2. Any condition of cancer affecting the skin or the central nervous, lymphatic, digestive,
2 hematological, urinary, skeletal, oral, breast, testicular, genitourinary, liver or prostate systems, as
3 well as any condition of cancer which may result from exposure to heat or radiation or to a known
4 or suspected carcinogen as determined by the International Agency for Research on Cancer, which
5 results in the total or partial disability or death to a uniformed member of a paid fire department
6 who successfully passed a physical examination within five years prior to the time a claim is made
7 for disability or death, which examination failed to reveal any evidence of such condition, shall be
8 presumed to have been suffered in the line of duty unless the contrary be shown by competent
9 evidence and it can be proven to a reasonable degree of medical certainty that the condition did
10 not result nor was contributed to by the voluntary use of tobacco.

11 3. This section shall apply to paid members of all fire departments of all counties, cities,
12 towns, fire districts, and other governmental units.

13 4. As used in this section, the term "infectious disease" means the human
14 immunodeficiency virus, acquired immunodeficiency syndrome, tuberculosis, hepatitis A,
15 hepatitis B, hepatitis C, hepatitis D, diphtheria, meningococcal meningitis, methicillin-resistant
16 staphylococcus aureus, hemorrhagic fever, plague, rabies, and severe acute respiratory
17 syndrome.”; and

18
19 Further amend said bill by amending the title, enacting clause, and intersectional references
20 accordingly.