

004966832

HOUSE JOINT RESOLUTION NO. 193

Offered January 24, 2000

*Requesting the Bureau of Insurance of the State Corporation Commission to study insurance coverage for volunteer firefighters in the Commonwealth.*

Patron—McClure

Referred to Committee on Rules

WHEREAS, volunteer firefighters provide invaluable services to the citizens of many localities throughout the Commonwealth; and

WHEREAS, volunteer firefighters are put at risk of serious illness and injury in the course of their efforts to protect the lives and property of Virginians; and

WHEREAS, while the Virginia Workers' Compensation Act ensures that certain medical and wage replacement benefits are provided to employees, not all volunteer firefighters are covered as employees; and

WHEREAS, § 65.2-101 of the Code of Virginia provides that volunteer firefighters shall be deemed employees of the political subdivision in which the principal office of the volunteer fire company is located if the governing body of such political subdivision has adopted a resolution acknowledging such volunteer firefighters as employees for the purposes of the Workers' Compensation Act; and

WHEREAS, the same section further provides that volunteer firefighters are covered as employees if the volunteer firefighting company elects to be included as an employer under the Workers' Compensation Act; and

WHEREAS, volunteer firefighters may also be covered under the Workers' Compensation Act when responding to an incident upon request of the Department of Emergency Services or engaging in firefighting activities under the supervision and control of the Department of Forestry; and

WHEREAS, many voluntary firefighters may not be covered as employees under the Workers' Compensation Act; and

WHEREAS, § 65.2-402 provides that certain respiratory disease, hypertension, heart disease, and cancer that result in death or disability of a volunteer firefighter shall be presumed to be occupational diseases suffered in the line of duty; and

WHEREAS, the types and amounts of coverage provided for voluntary firefighters may not be sufficient to protect these volunteers and their families; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the Bureau of Insurance of the State Corporation Commission be requested to study insurance coverage for volunteer firefighters in the Commonwealth. The Bureau of Insurance shall specifically examine (i) the extent to which volunteer firefighters in the Commonwealth are covered by workers' compensation insurance and other types of insurance, (ii) whether the provision of insurance coverage for volunteer firefighters is affecting the level of participation in volunteer fire departments, and (iii) whether insurance coverages provided for volunteer firemen should extend beyond those provided under current workers' compensation laws.

All agencies of the Commonwealth shall provide assistance to the Bureau of Insurance for this study, upon request.

The Bureau of Insurance shall complete its work in time to submit its findings and recommendations to the Governor and the 2001 Session of the General Assembly as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents.

INTRODUCED

HJ193