

February 2, 2023
Senate Workforce Development
HB 1279
Sen. Wobbema, Chair

For the record, I am Stephanie Dassinger Engebretson. I am appearing on behalf of the North Dakota League of Cities and the Chiefs of Police Association of North Dakota. I am the deputy director and attorney for the North Dakota League of Cities. Both entities appear in enthusiastic support of HB 1279 and ask for a Do Pass recommendation on the bill.

City leaders and police chiefs recognize the work that full-time paid firefighters and law enforcement officers do to make sure that individuals are safe. For the sacrifices that law enforcement officers and full-time paid firefighters make, it is our duty to make sure that WSI appropriately covers their work-related injuries. Recently, a West Fargo police officer had a heart related incident occur on duty after a physical altercation. Under the current WSI laws, there was not coverage for the incident. This should not have happened, and passing HB 1279, in its current form, allows the state of North Dakota to correct what has happened to the law enforcement officer from West Fargo and make sure that our law enforcement officers and full-time paid firefighters are provided the appropriate coverage for heart-related workplace injuries.

This incredibly unfortunate event in West Fargo has made everyone acutely aware of the hole in coverage that exists for full-time firefighters and law enforcement officers with less than 5 years of continuous service within the state. Under HB 1279, full-time paid firefighters and law enforcement officers would be able to count full time paid service as a firefighter or law enforcement officer outside the state of North Dakota towards the five years necessary for presumption clause coverage. As you have heard over and over, North Dakota needs to recruit individuals from out of state to fill our open jobs. This is a positive step towards creating a friendly recruitment environment for full-time paid firefighters and law enforcement officers in our state.

Also under HB 1279, a full-time paid firefighter and law enforcement officer would be covered for a heart attack, stroke, vascular rupture or other similar cardiac event when it occurs within 48 hours of strenuous physical law enforcement activity, fire suppression activity or other emergency response activity. The strenuous physical activity could also occur during a training exercise.

In order to qualify, the full-time firefighter or law enforcement officer will need to pass a medical screening that fails to reveal any evidence of a cardiac condition. Additionally, the full-time paid firefighter or law enforcement officer who uses tobacco does not qualify for the coverage unless he or she provides yearly documentation from a health care provider which indicates the full-time paid firefighter or law enforcement officer has not used tobacco for the preceding two years.

Additionally, HB 1279 makes it clear that the full-time paid firefighter and law enforcement employers would be responsible for the costs related to the physical exams required for the coverage.

Finally, the HB 1279 contains a clause for retroactive application and an emergency clause. This will allow WSI to cover the injuries suffered by the law enforcement officer from West Fargo and make sure to close the gap in coverage in an expedient manner.

The North Dakota League of Cities and the Chiefs of Police Association of North Dakota, respectfully request a Do Pass recommendation on HB 1279.