

SENATE NO. 1490

AN ACT RELATIVE TO CONTAGIOUS DISEASES

*Be it enacted by the Senate and House of Representatives in General Court assembled,
And by the authority of the same, as follows:*

1 SECTION 1. Notwithstanding the provisions of any general or special law to the contrary, and for the
2 purposes of any death, disability or medical services claims under Chapter 32, Chapter 41, and Chapter
3 152, of the General Laws, any contagious disease, resulting in disability or death to a full-time
4 uniformed member of a paid police department, fire department or municipal emergency medical
5 service shall, if he or she successfully passed a physical examination on entry into such service or
6 subsequent to such entry, which exam failed to reveal any evidence of such condition, be presumed to
7 have been suffered in the line of duty, unless it is shown by a preponderance of the evidence that non-
8 service connected risk factors or non-service connected accidents or hazards undergone, or any
9 combination thereof, cause such incapacity.

10 (2) The provisions of this section shall apply to any person otherwise eligible for
11 five years subsequent to retirement.

12 (3) The provisions of this section shall also apply to any condition of Hepatitis A, B, or C,
13 Tuberculosis, HIV, and any other contagious disease which is found by regulation by the

- 14 commissioner of the department of public health to have a statistically significant correlation with
- 15 police, fire or emergency medical services.