

## An Update on Firefighter Cancer Insurance

ACCG has made substantial progress towards the goal of providing firefighter cancer insurance coverage to Georgia counties as required by [HB 146](#), which becomes effective January 1, 2018. More details on the application for coverage will be released this summer, with proposals in the fall - well in advance of the deadline. However, it is appropriate to provide an update on the status of the program, as well as steps that counties need to take NOW to assure this newly mandated coverage will be effectively provided to firefighters as required by Georgia law.

### The Price is Coming Down

The estimated price per firefighter (employed or volunteer) is down from \$400 to less than \$300 per firefighter. The reduction is a result of negotiations with insurance carriers interested in providing the specified cancer coverage outlined in HB 146 for the large volume of firefighters impacted by the legislation. **Final arrangements with one carrier will be made and announced soon.**

### Update the Firefighter Database

The Georgia Firefighter Standards & Training Council (GFSTC) provides and maintains a database that tracks fire department information as well as paid and volunteer firefighter information. This is a relatively new database, so the Council is requesting confirmation of the data. This information will likely be used in the application process for this new coverage. Therefore, it is extremely beneficial to the counties to encourage the leadership of their responding fire department(s) to **make sure the information on both the department and the firefighters is accurate**. Contact GFSTC at 478-993-4521 or go to [www.gfstconline.org](http://www.gfstconline.org) regarding questions or assistance with the database. Typically, the fire chief has access to the fire department information and the firefighters have access to their personal information.

No later than August 1, 2017, the contact information in the GFSTC database, which includes addresses, email addresses and phone numbers, on every employed and volunteer county firefighter should be reviewed and if necessary, updated. Firefighters no longer working or volunteering for the county fire department (such as those who have resigned, been terminated or are retired or deceased) should be removed to ensure that the county is not paying unnecessary premium. Any additional firefighters not currently on the GFSTC department roster must be added so all of the county's active firefighters are in the database.

It is important to capture whether the firefighter is an employee or volunteer for each fire department they serve. Any firefighter **employed** by a city, county or private fire department should have firefighter cancer insurance coverage provided by their employer regardless of whether they volunteer at another fire department, according to HB 146.

While there has been discussion about sharing a firefighter's premium among more than one department if the firefighter is employed by or volunteers in multiple locations, it appears that a better alternative is for each firefighter to have a primary employer/fire department pay the premium for their coverage since there will only be one set of benefits provided. If the primary employer can be selected in the GFSTC database, it should be. Prior to the creation of a quote, ACCG will request that the county confirm the firefighters it wants to cover. If changes are made to the firefighter roster mid-year in 2018 after coverage is bound, corresponding adjustments will be made to the premium.

## Update or Create Contracts if Applicable

HB 146 specifically requires “legally organized fire departments” to provide and maintain firefighter cancer insurance on each employee and volunteer of the fire department, so it is important to understand the term as it relates to Georgia county governments. GFSTC is authorized under State law to adopt rules and regulations, and Section 205-1-2-.02 (1), states:

- (a) Legally organized fire departments shall be established as an entity of the State of Georgia or a political sub-division of the State of Georgia (a city, county, board, etc.)
- (b) Legally organized fire departments may exist as a private corporation incorporated either for-profit or not-for-profit through the State of Georgia Secretary of State and have a written contract to provide fire and emergency services with one or more local governments in Georgia.

Therefore, firefighter cancer insurance is required to be provided by fire departments established by the county as well as by fire departments formed as private corporations. To ensure that all firefighters who serve the county through a private corporation are covered, counties should work with the private fire departments that serve the unincorporated area of the county to establish that:

- 1) The private fire department is a legal entity (i.e., properly incorporated). To determine whether a private fire department is an active corporation, contact the Secretary of State’s Corporations Division or conduct a [Business Search](#).
- 2) There is an up-to-date written contract outlining the requirements of each party, which is properly approved by the board of commissioners (and included in the minutes) and the private department. Contracts with a private department should be examined to make certain that the private fire department is in compliance with the GFSTC rules and regulations and is providing coverage to all of its employees and volunteers. It is recommended that these contracts address the private department’s purchase of the firefighter cancer insurance effective January 1, 2018. Counties may want to include provisions requiring proof of insurance, requiring maintenance of legal status of the private fire department, and requiring regular updates to the GFSTC database. While counties may want to consider increasing payment to the private fire department to offset the cost of this insurance, employees and volunteers of private department **cannot** be covered under an ACCG insurance program. Fortunately, the insurance carrier that will be providing coverage through ACCG has agreed to provide the private fire departments with the same firefighter cancer insurance coverage as the counties at the same negotiated price. Final arrangements with one carrier will be made and announced soon, as well as who they should contact for a quote.

As with all county contracts, the county attorney should be involved in updating or drafting the contracts. This may be a good time to address other concerns. For instance, any firetrucks or equipment listed on the county’s auto insurance must be titled in the name of the county, not the private fire department. Firetrucks or equipment owned and titled to a private fire department should be insured by that fire department since they have the insurable interest in the property.

## Questions?

Should you have additional questions, email [accginsurance@accg.org](mailto:accginsurance@accg.org) or contact Ashley Abercrombie or David Uhlman at 404.522.5022 / 800-858-2224.