

**HOUSE . . . . . No.**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

**Martin J. Walsh**

*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:*

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

**An Act relative to contagious diseases.**

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Martin J. Walsh	13th Suffolk

[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE HOUSE, NO. 2807 OF 2007-2008.]

## The Commonwealth of Massachusetts

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In the Year Two Thousand and Nine

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### 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  
2           contrary, and for the purposes of any death, disability or medical services claims under Chapter  
3           32, Chapter 41, and Chapter 152, of the General Laws, any contagious disease, resulting in  
4           disability or death to a full-time uniformed member of a paid police department, fire department  
5           or municipal emergency medical service shall, if he or she successfully passed a physical  
6           examination on entry into such service or subsequent to such entry, which exam failed to reveal  
7           any evidence of such condition, be presumed to have been suffered in the line of duty, unless it is  
8           shown by a preponderance of the evidence that non-service connected risk factors or non-service  
9           connected accidents or hazards undergone, or any combination thereof, caused such incapacity.
- 10          (2) The provisions of this section shall apply to any person otherwise eligible for five years  
11          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  
15 with police, fire or emergency medical services.

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