

**HOUSE** \_\_\_\_\_ **AMENDMENT NO.** \_\_\_\_\_

**Offered By**

1 AMEND House Committee Substitute for House Bill No. 664, Page 1, Section A, Line 3, by  
2 inserting after all of said section and line the following:

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4 “87.005. 1. Notwithstanding the provisions of any law to the contrary, after five years'  
5 service, any condition of impairment of health caused by any infectious disease, disease of the  
6 lungs or respiratory tract, hypertension, or disease of the heart resulting in total or partial disability  
7 or death to a uniformed member of a paid fire department, who successfully passed a physical  
8 examination within five years prior to the time a claim is made for such disability or death, which  
9 examination failed to reveal any evidence of such condition, shall be presumed to have been  
10 suffered in line of duty, unless the contrary be shown by competent evidence. In order to receive  
11 the presumption that an infectious disease was contracted in the line of duty, the member shall  
12 submit to an annual physical examination, at which a blood test is administered.

13 2. This section shall apply only to the provisions of chapter 87, RSMo 1959.

14 3. As used in this section, the term "infectious disease" means the human  
15 immunodeficiency virus, acquired immunodeficiency syndrome, tuberculosis, hepatitis A,  
16 hepatitis B, hepatitis C, hepatitis D, diphtheria, meningococcal meningitis, methicillin-resistant  
17 staphylococcus aureus, hemorrhagic fever, plague, rabies, and severe acute respiratory syndrome.

18 87.006. 1. Notwithstanding the provisions of any law to the contrary, and only for the  
19 purpose of computing retirement benefits provided by an established retirement plan, after five  
20 years' service, any condition of impairment of health caused by any infectious disease, disease of  
21 the lungs or respiratory tract, hypotension, hypertension, or disease of the heart resulting in total  
22 or partial disability or death to a uniformed member of a paid fire department, who successfully  
23 passed a physical examination within five years prior to the time a claim is made for such  
24 disability or death, which examination failed to reveal any evidence of such condition, shall be  
25 presumed to have been suffered in the line of duty, unless the contrary be shown by competent  
26 evidence. In order to receive the presumption that an infectious disease was contracted in the line  
27 of duty, the member shall submit to an annual physical examination, at which a blood test is  
28 administered.

29 2. Any condition of cancer affecting the skin or the central nervous, lymphatic, digestive,

1 hematological, urinary, skeletal, oral, breast, testicular, genitourinary, liver or prostate systems, as  
2 well as any condition of cancer which may result from exposure to heat or radiation or to a known  
3 or suspected carcinogen as determined by the International Agency for Research on Cancer, which  
4 results in the total or partial disability or death to a uniformed member of a paid fire department  
5 who successfully passed a physical examination within five years prior to the time a claim is made  
6 for disability or death, which examination failed to reveal any evidence of such condition, shall be  
7 presumed to have been suffered in the line of duty unless the contrary be shown by competent  
8 evidence and it can be proven to a reasonable degree of medical certainty that the condition did  
9 not result nor was contributed to by the voluntary use of tobacco.

10 3. This section shall apply to paid members of all fire departments of all counties, cities,  
11 towns, fire districts, and other governmental units.

12 4. As used in this section, the term "infectious disease" means the human  
13 immunodeficiency virus, acquired immunodeficiency syndrome, tuberculosis, hepatitis A,  
14 hepatitis B, hepatitis C, hepatitis D, diphtheria, meningococcal meningitis, methicillin-resistant  
15 staphylococcus aureus, hemorrhagic fever, plague, rabies, and severe acute respiratory  
16 syndrome.”; and

17  
18 Further amend said bill by amending the title, enacting clause, and intersectional references  
19 accordingly.