

AN ACT

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Columbia
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IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To amend the Fire and Police Medical Leave and Limited Duty Amendment Act of 2004 to require that members of the Fire and Emergency Medical Services Department who sustain severe performance-of-duty injuries or illnesses shall have an extension of the allowable work days in a less-than-full-duty status from 64 days to 170 days, and to require the department to assign those members non-firefighting duties if they continue to be unable to perform the full range of duties but are able to work in a less-than-full-duty capacity after expiration of the 170 days.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Injured Fire Fighter Relief Amendment Act of 2008”.

Sec. 2. Section 623 of the Fire and Police Medical Leave and Limited Duty Amendment Act of 2004, effective September 30, 2004 (D.C. Law 15-194; D.C. Official Code § 5-633), is amended as follows:

Amend
§ 5-633

(a) Subsection (a) is amended by striking the phrase “subsection (e)” and inserting the phrase “subsections (e) and (g)” in its place.

(b) Subsection (b) is amended by striking the word “If” and inserting the phrase “Except as provided in subsection (g) of this section, if” in its place.

(c) Subsection (d) is amended by striking the phrase “subsections (e) and (f)” and inserting the phrase “subsections (e), (f), and (g)” in its place.

(d) A new subsection (g) is added to read as follows:

“(g)(1) If a member of the Fire and Emergency Medical Services Department has sustained, in the performance of duty at the scene of a fire or emergency, any serious or life-threatening injury or illness for which the member requires critical care treatment in a hospital intensive care unit or its equivalent, the member shall not be processed for retirement pursuant to subsection (b) or subsection (d) of this section unless the member:

“(A) As a result of the injury or illness sustained, has spent more than 170 cumulative work days in a less-than-full-duty status over the 2-year period following the

date the member sustained the injury or illness; and

“(B) Is unable to work in a less-than-full-duty capacity within the Department.

“(2) The member shall be provided with additional non-chargeable medical leave and disability compensation pay pursuant to subsection (a) of this section until the member achieves maximum medical improvement or is processed for retirement after having spent more than 170 cumulative work days in less-than-full-duty status over the 2-year period.

“(3)(A) A member who has spent more than 170 cumulative work days in less-than-full-duty status over the 2-year period pursuant to paragraph (1) of this subsection and continues to be unable to perform the full range of duties shall not be processed involuntarily for retirement under section 12(g) if the member is able and willing to work in any less-than-full-duty capacity within the Department, including staffing the divisions of the Training Academy, Professional Standards, Fleet Management, Facilities Maintenance, Fire Prevention and Education, and equipment maintenance, or other non-firefighting duty.

“(B) The Department shall assign the member non-firefighting duties if the member continues to be unable to perform the full range of duties but is able and willing to work in a less-than-full-duty capacity after expiration of the 170 days.

“(C) Nothing in this paragraph shall be construed as preventing the member from seeking retirement for disability under section 12(g).”.

Sec. 3. Fiscal impact statement.

The Council adopts the June 17, 2008 fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of Congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December

ENROLLED ORIGINAL

24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

Chairman
Council of the District of Columbia

Mayor
District of Columbia