



FIRE AND POLICE DISABILITY AND RETIREMENT City of Portland, Oregon



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Samuel Hutchison, Director

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April 21, 2021

To: **Senate Committee On Labor and Business**
Senator Chuck Riley, Chair

From: Sam Hutchison, Director

Subject: House Bill 2915 A

The Fire and Police Disability and Retirement Bureau (FPDR) supports the passage of HB 2915 A.

FPDR would like to address the written and oral testimony offered by the Oregon State Fire Fighters Council (OSFFC), Karl Koenig, and Representative Janeen Sollman on HB 2915.

The FPDR Disability Plan, as described in Chapter 5 of the Portland City Charter, has a presumption for firefighters to cover heart disease, which is different than the heart-lung presumption in ORS 656.802(4). FPDR administers all heart disease and heart-lung conditions per the FPDR Plan, not per ORS 656.802(4).

The following statement made by OSFFC, Karl Koenig, and Representative Janeen Sollman is incorrect, "The application of the Charter presumption has now been challenged by FPDR with rulings by the Office of Administrative Hearings which renders the Charter presumption ineffective." The Office of Administrative Hearings has made no decision rendering the Charter presumption ineffective. Rulings by the State of Oregon Office of Administrative Hearings, Multnomah County Circuit Court, and Oregon Court of Appeals (with review denied by the Oregon Supreme Court) affirm the Charter presumption. FPDR continues to administer firefighter heart disease claims following the Charter presumption and the law.