

FACT SHEET

Update: Streamlined claims processing for federal firefighters with certain occupational diseases pursuant to the National Defense Authorization Act.

U.S. Department of Labor, Office of Workers' Compensation Programs

On **March 20, 2023**, the Office of Workers' Compensation Programs' (OWCP) Federal Employees' Compensation Program issued FECA Bulletin 23-05, "Special Case Handling in Certain Firefighter FECA Claims Processing and Adjudication." This bulletin supersedes [FECA Bulletin 22-07](#) and implements additional changes to streamline claims processing for federal firefighters with certain occupational diseases in accordance with the National Defense Authorization Act for Fiscal Year 2023 (NDAA).

BACKGROUND

OWCP receives approximately 2,600 claims annually from federal firefighters injured or sickened on the job. Of those, about 175 are complex occupational disease claims that include conditions such as cancer, heart disease and lung disease.

Recent medical research found that federal employees who engage in fire protection and suppression activities are at **increased risk of certain types of cancers and diseases** because of the specific exposures that routinely occur in the course of their employment.

On April 10, 2022, OWCP issued FECA Bulletin 22-07, which eased the evidentiary requirement for federal firefighters to connect exposure to toxic substances to certain diseases and illnesses.

On Dec. 23, 2022, President Biden signed the NDAA into law. Section 5305 of the NDAA, Fairness for Federal Firefighters, amended the FECA and **established that certain illnesses and diseases are to be deemed to be proximately caused by employment in federal fire protection activities.**

FECA BULLETIN NO. 23-05

OWCP issued FECA bulletin No. 23-05 to align FECA policy with the provisions of the NDAA. Under this bulletin, claims are deemed **high risk** and qualify for **expedited processing** if:

- The employee was diagnosed with:
 - One of the following cancers: esophageal, colorectal, prostate, testicular, kidney, bladder, brain, lung, thyroid, multiple myeloma, non-Hodgkin's lymphoma, leukemia, mesothelioma or melanoma; or
 - Chronic obstructive pulmonary disease; or
 - A sudden cardiac event or stroke; and

- The employee was engaged in fire protection activities for at least five years; and
- The employee was diagnosed with a condition noted above within 10 years of the date of last exposure to federal firefighting activities. An exception exists for sudden cardiac events or strokes which must occur while, or not later than 24 hours after, engaging in fire protection or suppression activities.

If the claim meets the high-risk criteria, **the employee does not need to submit additional evidence of specific exposures or medical evidence addressing causal relationship.** The condition(s) will be deemed proximately caused by federal firefighter employment.

If the claim does not meet the high-risk criteria, it will be adjudicated under established FECA case processing procedures.

ADDITIONAL MEASURES

- A special claims unit will continue to process all claims from federal firefighters to help ensure **uniform consistency in adjudication.** Of those adjudicated as of Feb. 23, 2023, the special claims unit has accepted **over 90%** of high-risk claims filed by federal firefighters.
- To promote ongoing research, OWCP will provide federal firefighters the opportunity to voluntarily register with the Center for Disease Control and Prevention's (CDC) **National Firefighter Registry** as soon as the registry becomes available.
- OWCP will continue to regularly review the best available scientific evidence to determine if **additional conditions should be added to the list of high-risk diagnoses.**
- OWCP will continue to partner with **Dr. Steven Moffatt, a nationally recognized medical expert on illnesses affecting firefighters.** Dr. Moffatt is a member of the National Institute for Occupational Safety and Health (NIOSH) Board of Scientific Counselors National Firefighter Registry Subcommittee. In collaboration with Dr. Moffatt and the CDC, OWCP will promptly address and respond to new evidence concerning occupational illness in firefighters.
- OWCP will work with NIOSH and the departments of the Interior and Agriculture to conduct a **comprehensive study on long-term health effects** that federal wildland firefighters experience after being exposed to fires, smoke and toxic fumes when in service.
- **OWCP created a new page on its website** to provide the most up-to-date information on claims processing for federal firefighters.

<https://www.dol.gov/agencies/owcp/FECA/FederalFirefighterclaims>

