

**REPORT OF THE
STATE CORPORATION COMMISSION'S
BUREAU OF INSURANCE ON**

**INSURANCE COVERAGE FOR
VOLUNTEER FIREFIGHTERS
AND RESCUE SQUAD MEMBERS**

**TO THE GOVERNOR AND
THE GENERAL ASSEMBLY OF VIRGINIA**



HOUSE DOCUMENT NO. 55

**COMMONWEALTH OF VIRGINIA
RICHMOND
2001**

COMMONWEALTH OF VIRGINIA

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STATE CORPORATION COMMISSION BUREAU OF INSURANCE

November 20, 2000

To: The Honorable S. Vance Wilkins, Jr.
and
The Honorable Roger J. McClure

We are pleased to transmit this Report of the State Corporation Commission's Bureau of Insurance on Insurance Coverage for Volunteer Firefighters and Rescue Squad Members.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read 'Alfred W. Gross'.

Alfred W. Gross
Commissioner of Insurance

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Executive Summary

In the 2000 Session of the Virginia General Assembly, the House Committee on Rules considered a resolution (HJR 193) to study insurance coverage for volunteer firefighters. This resolution was not reported; however, the Speaker of the House requested, by letter, that the State Corporation Commission (Commission) consider performing such a study. Upon receipt, the Commission agreed to perform the study and added volunteer rescue squads to the scope of the study.

The purpose of the proposed study was to evaluate: (i) the extent to which volunteer firefighters and volunteer rescue squads are covered by workers' compensation insurance and other types of insurance; (ii) whether the provision of insurance coverage for these volunteers is affecting the level of participation in volunteer fire departments and rescue squads; and (iii) whether insurance coverages provided for the volunteers should extend beyond those provided under current workers' compensation laws.

In order to meet the objectives of this study, it was necessary to survey Virginia volunteer fire departments (VFDs), volunteer rescue squads (VRSs), and municipalities. According to the survey results, 62.0% of responding VFD members and 71.4% of responding VRS members are covered by workers' compensation insurance. Also, 91.3% of responding VRS members and 92.6% of responding VFD members are covered by workers' compensation, health, or disability insurance through their respective departments.

Volunteer fire departments and volunteer rescue squads experience volunteer departure rates ("turnover rates") of 11.0% and 15.8% respectively. These turnover rates do not vary significantly for the following groups: (i) departments with workers' compensation insurance provided by the municipalities, (ii) departments obtaining workers' compensation insurance independently, and (iii) departments not carrying workers' compensation insurance. In fact, according to the VFD and VRS survey results, only 10% of the volunteer fire departments' exiting members and 5% of the volunteer rescue squads' exiting members leave their respective departments due to a perceived lack or inadequacy of workers' compensation insurance.

Virginia's wage replacement benefits for volunteer firefighters and rescue squad members were compared to those of other states. Currently, Virginia sets the weekly compensation amount for wage replacement for volunteer firefighters and rescue squad members at \$151.50, for a maximum of 500 weeks. Of the 41 other states reviewed, 39 states exceed this level of wage replacement benefits, one state has

similar wage replacement benefits, and one state provides lower wage replacement benefits.

The information gathered in the course of this study suggests that the majority of VFDs and VRSs in Virginia are providing some form of insurance protection to their volunteer members. It also appears that the level of participation in VFDs and VRSs does not vary significantly according to whether or not workers' compensation insurance is made available. However, it appears that Virginia's wage replacement benefits for volunteer firefighters and rescue squad members fall below those provided in most other states.

2000 SESSION

HOUSE JOINT RESOLUTION NO. 193

Offered January 24, 2000

Requesting the Bureau of Insurance of the State Corporation Commission to study insurance coverage for volunteer firefighters in the Commonwealth.

Patron--McClure

Referred to Committee on Rules

WHEREAS, volunteer firefighters provide invaluable services to the citizens of many localities throughout the Commonwealth; and

WHEREAS, volunteer firefighters are put at risk of serious illness and injury in the course of their efforts to protect the lives and property of Virginians; and

WHEREAS, while the Virginia Workers' Compensation Act ensures that certain medical and wage replacement benefits are provided to employees, not all volunteer firefighters are covered as employees; and

WHEREAS, §65.2-101 of the Code of Virginia provides that volunteer firefighters shall be deemed employees of the political subdivision in which the principal office of the volunteer fire company is located if the governing body of such political subdivision has adopted a resolution acknowledging such volunteer firefighters as employees for the purposes of the Workers' Compensation Act; and

WHEREAS, the same section further provides that volunteer firefighters are covered as employees if the volunteer firefighting company elects to be included as an employer under the Workers' Compensation Act; and

WHEREAS, volunteer firefighters may also be covered under the Workers' Compensation Act when responding to an incident upon request of the Department of Emergency Services or engaging in firefighting activities under the supervision and control of the Department of Forestry; and

WHEREAS, many voluntary firefighters may not be covered as employees under the Workers' Compensation Act; and

WHEREAS, §65.2-402 provides that certain respiratory disease, hypertension, heart disease, and cancer that result in death or disability of a volunteer firefighter shall be presumed to be occupational diseases suffered in the line of duty; and

WHEREAS, the types and amounts of coverage provided for voluntary firefighters may not be sufficient to protect these volunteers and their families; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the Bureau of Insurance of the State Corporation Commission be requested to study insurance coverage for volunteer firefighters in the Commonwealth. The Bureau of Insurance shall specifically examine (i) the extent to which volunteer firefighters in the Commonwealth are covered by workers compensation insurance and other types of insurance, (ii) whether the provision of insurance coverage for volunteer firefighters is affecting the level of participation in volunteer fire departments, and (iii) whether insurance coverages provided for volunteer firemen should extend beyond those provided under current Workers' compensation laws.

All agencies of the Commonwealth shall provide assistance to the Bureau of Insurance for this study, upon request.

The Bureau of Insurance shall complete its work in time to submit its findings and recommendations to the Governor and the 2001 Session of the General Assembly as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents.

Introduction

Legislative Request

In the 2000 Session of the Virginia General Assembly, the House Committee on Rules considered a resolution (HJR 193) to study insurance coverage for volunteer firefighters. The resolution was not reported; however, the committee felt that the issue warranted consideration. Consequently, the Speaker of the House requested, by letter, that the State Corporation Commission (Commission) consider performing such a study. When the request was received, the Commission added volunteer rescue squads to the scope of the study.

The objective of the proposed study was to evaluate: (i) the extent to which volunteer firefighters and volunteer rescue squads are covered by workers' compensation insurance and other types of insurance; (ii) whether the provision of insurance coverage for these volunteers is affecting the level of participation in volunteer fire departments and rescue squads; and (iii) whether insurance coverages provided for the volunteers should extend beyond those provided under current workers' compensation laws.

Background

Workers' compensation insurance is a "no-fault" type of insurance that allows employees to receive cash compensation, medical treatment, and other assistance as a result of work-related injuries and illnesses. This insurance represents a compromise between employers and employees by extending an employer's liability to cover all accidental personal injuries arising out of and in the course of employment. By electing to accept workers' compensation benefits, injured employees give up their rights to seek damages through the courts and must accept compensation amounts principally set in statute. At the same time, employers give up their common law defenses and assume responsibility for work-related injuries and illnesses.

Title 65.2 of the Code of Virginia, also known as the Virginia Workers' Compensation Act (the Act), was first enacted in 1918. The Act sets forth the basic provisions of the workers' compensation system in Virginia and establishes guidelines and limitations for compensating injured employees. The Act also created the Workers' Compensation Commission, giving it specific powers and responsibilities for the

administration of the Act. While the basic provisions of the current Act are similar to the law originally passed, numerous revisions have broadened its scope over the years.

Injured employees are entitled to medical and indemnity benefits. Medical benefits cover reasonable and necessary medical costs incurred for the employee's injury for as long as necessary and without limitation. Medical benefits include physical and vocational rehabilitation, if necessary. Indemnity benefits, also known as wage-replacement benefits, are generally based on weekly compensation equal to two-thirds of the injured employee's average weekly wage, subject to a minimum and maximum benefit. Currently, the minimum weekly benefit in Virginia is \$151.50, and the maximum weekly benefit is \$606.00. Indemnity benefits include payments for total incapacity, partial incapacity, scheduled partial and total permanent disability losses, and death and burial benefits paid to dependents of the employee.

The Act requires most Virginia employers to obtain workers' compensation insurance or to be self-insured. When an employee is injured and the claim is adjudicated as a work-related injury, the employer becomes liable for payment of the benefits provided in the Act. When the employer has purchased workers' compensation insurance, the insurance company generally pays the benefits directly to the injured worker and to the medical provider. A certified self-insured employer is directly responsible for the payment of benefits to the injured worker.¹

The Act specifies that volunteer firefighters or rescue squad members shall be deemed employees of the political subdivision in which the principal office of the volunteer fire company or volunteer rescue squad is located if the governing body of such political subdivision has adopted a resolution acknowledging such volunteer firefighters or rescue squad members as employees for the purposes of the Workers' Compensation Act. If the political subdivision does not acknowledge them as employees, the volunteers are permitted to obtain workers' compensation insurance on the open market or, because of their volunteer status, remain uninsured.

Additionally, the Act states that whenever volunteer firefighters or volunteer rescue squad members are deemed employees under the Act,

¹ A certified self-insured employer is one who has obtained a certificate from the Workers' Compensation Commission (WCC) authorizing such employer to be an individual self-insurer. The employer must satisfy the requirements of § 65.2-801 by providing to the WCC satisfactory proof of the solvency of the employer, the financial ability of the employer to meet the obligations under the Act, and the ability of the employer to pay or cause to be paid the compensation in the amount and manner as provided for in the Act.

their average weekly wage shall be deemed sufficient to produce the minimum compensation (\$151.50 weekly) provided by the Act for injured workers or their dependents. For the purposes of workers' compensation insurance premium calculations, the monthly payroll for each volunteer firefighter or volunteer rescue squad member is currently set at \$300. ² The minimum premium per volunteer per year for workers' compensation insurance is \$40. ³

² § 65.2-101 B 3 of the Code of Virginia states "Whenever volunteer firefighters, volunteer lifesaving or volunteer rescue squad members, volunteer law-enforcement chaplains, auxiliary or reserve police, auxiliary or reserve deputy sheriffs, volunteer emergency medical technicians and members of volunteer search and rescue organizations are deemed employees under this title, their average weekly wage shall be deemed sufficient to produce the minimum compensation provided by this title for injured workers or their dependents. For the purposes of workers' compensation insurance premium calculations, the monthly payroll for each volunteer firefighter or volunteer lifesaving or volunteer rescue squad member shall be deemed to be \$300."

³ § 38.2-1904 B 3 of the Code of Virginia states "In the case of workers' compensation insurance rates for volunteer firefighters or volunteer lifesaving or volunteer rescue squad members, the rates shall be calculated based upon the combined experience of both volunteer firefighters or volunteer lifesaving or volunteer rescue squad members and paid firefighters or paid lifesaving or paid rescue squad members, so that the resulting rate is the same for both volunteer and paid members, but in no event shall resulting premiums be less than forty dollars per year for any volunteer firefighter or rescue squad member."

Study Methodology

In order to determine the extent to which volunteer firefighters and rescue squad members are covered under workers' compensation insurance, the Commission's Bureau of Insurance (Bureau) surveyed volunteer fire departments, volunteer rescue squads, and municipalities. Three independent mailing lists were acquired for the purpose of identifying recipients for three separate surveys. The Virginia Department of Health provided a list of 687 volunteer rescue squads in the Commonwealth. The Virginia Department of Fire Services submitted a list of 631 volunteer fire departments. The Virginia Municipal League provided a list of 208 individuals responsible for county or independent city administration. Based on the mailing lists provided, 1,526 surveys were mailed.

The survey mailed to municipal administrators asked whether volunteers were used by the municipality, the current staffing levels for the departments/squads, and whether the department/squad had coverage under the municipality's workers' compensation insurance policy.

The volunteer fire department and rescue squad surveys asked whether workers' compensation insurance and other coverages were provided to the volunteers. The volunteer fire department and rescue squad surveys also asked whether the provision of workers' compensation insurance or the current benefit level impacted the level of volunteerism. This was assessed by requesting specific information concerning the level of turnover in volunteer positions and the current number of vacancies in these positions.

Surveys

Municipal Administrator Survey

The Municipal Administrator Survey (Exhibit 1) was mailed to 208 members of the Virginia Municipal League. One hundred and five responses were received for a response rate of 50.5%.

Eighty-seven respondents (82.9%) indicated that they have a fire department within their jurisdiction. Of these 87, 83 indicated that they use volunteers. Thirty-five (33.3%) of the political subdivisions with volunteer fire departments (VFDs) indicated that they include the VFDs under their municipal workers' compensation insurance policy. Twenty-seven respondents (25.7%) stated that the VFDs obtain insurance independently. Twenty-six municipalities (24.8%) indicated that the VFDs do not carry workers' compensation insurance. One respondent did not answer the question. Cumulatively, the responding municipalities stated that they have 3,908 volunteer firefighters and 2,422 paid firefighters within their jurisdictions.

Sixty-three respondents (60%) indicated that they have a volunteer rescue squad (VRS) within their jurisdiction, and 37 respondents (35.2%) indicated that they do not. Five respondents did not answer the question. Sixteen (25.4%) of the political subdivisions with VRSs indicated that they include the VRSs under their municipal workers' compensation insurance policy. Twenty-four respondents (38.1%) stated that insurance is obtained independently by the VRS. Twenty-four municipalities (38.1%) indicated that workers' compensation insurance is not carried by the VRS. Four respondents did not answer the question. Cumulatively, the responding municipalities stated that they have 698 volunteer rescue squad members and 2,224 paid rescue squad members within their jurisdictions.

The survey also asked the municipalities if they make available other forms of insurance, i.e. health insurance or disability insurance. Twelve respondents (13.8% of VFDs and 19.0% of VRSs) make health insurance available, and 34 respondents (39.1% of VFDs and 54.0% of VRSs) make disability insurance available. Eighteen (20.7%) responding municipalities indicated that they do not provide workers' compensation insurance but do provide health or disability insurance. Fourteen (16.9%) municipalities indicated that they do not provide workers' compensation or any other type of insurance benefits for their VFDs. Sixteen (25.4%) municipalities indicated that they provide neither workers' compensation nor any other type of insurance benefits for their

VRSS. Fourteen respondents did not answer the question regarding health insurance, and 15 did not answer the question regarding disability insurance.

Volunteer Fire Department Survey

The Volunteer Fire Department Survey (Exhibit 2) was mailed to 622 VFDs based on the mailing list provided by the Virginia Department of Fire Services. Two hundred and thirty-six responses were received for a response rate of 37.9%.

As with the Municipal Administrator Survey, the first question was designed to identify whether workers' compensation insurance is provided by the VFDs. Ninety-three respondents (39.4%) indicated that workers' compensation is provided by the respective municipalities, 60 respondents (25.4%) indicated that workers' compensation coverage is obtained independently by the fire department, and 80 respondents (33.9%) indicated that workers' compensation coverage is not carried. Three respondents did not answer this question. Of the 80 respondents indicating that no workers' compensation coverage is carried, 33 VFDs (41.3%) indicated that cost was a predominant factor for not carrying the insurance.

The second question was designed to determine how many VFDs make health or disability insurance available to volunteer members. One hundred and one VFDs (42.8%) indicated that health insurance coverage is made available to volunteers. One hundred and fifty-five (65.7%) indicated that disability insurance is made available to volunteers. Eleven respondents did not answer the question regarding the availability of health insurance, and seven did not answer the question regarding the availability of disability insurance.

The remaining questions on the survey pertained to staffing levels and membership departure counts for the prior year. Cumulatively, the responding VFDs stated that there are 8,974 volunteer firefighters and 3,250 paid firefighters within their departments. Respondents indicated that there were approximately 1,909 vacant volunteer firefighter positions at the time of the survey. Twenty-eight respondents indicated that they had unlimited openings for volunteers. Respondents indicated that a total of 990 volunteers (11.0%) left the departments last year. Of these 990, the VFDs indicated that 95 volunteers (9.6%) left the department due to the lack of workers' compensation insurance and seven volunteers (7/10ths of one percent) left due to insufficient workers' compensation benefits.

Volunteer Rescue Squad Survey

The Volunteer Rescue Squad Survey (Exhibit 3) was mailed to 689 VRSs taken from the mailing list provided by the Virginia Department of Health. One hundred and ninety-six responses were received for a response rate of 28.4%.

As with the Volunteer Fire Department Survey, the first question was designed to identify whether workers' compensation insurance is provided by the VRSs. Sixty-seven (36.8%) respondents indicated that workers' compensation insurance is provided by the respective municipalities, sixty-eight (37.4%) respondents indicated that workers' compensation insurance is obtained independently by the rescue squads, and forty-seven (25.8%) respondents indicated that workers' compensation insurance is not carried. Fourteen respondents indicated that they have no volunteers. Of the forty-seven that did not carry workers' compensation, twelve (25.5%) indicated that cost was a predominant factor for not carrying the insurance.

The second question was designed to determine how many VRSs make health or disability insurance available to volunteer members. Fifty-nine (32.4%) VRSs indicated that health insurance is made available to volunteers. One hundred and three (56.6%) indicated that disability insurance is made available to volunteers. Three respondents did not answer the question regarding the availability of health insurance or disability insurance.

The remaining questions on the survey pertained to staffing levels and membership departure counts for the prior year. Cumulatively, the responding VRSs stated that there are 9,269 volunteer members and 886 paid members within their departments. Respondents indicated that there were approximately 2,014 vacant volunteer positions at the time of the survey. Forty-three respondents indicated that they had unlimited openings for volunteers. Respondents indicated that a total of 1,460 (15.8%) volunteers left the departments last year. Of these 1,460, the VRSs indicated that 33 volunteers (2.3%) left due to the lack of workers' compensation insurance, and 35 volunteers (2.4%) left due to insufficient workers' compensation benefits.

Analysis

Upon review of the responses received from the Municipal Administrator Survey, VFD Survey, and VRS survey, it appears that the majority of volunteers are covered by insurance. Further, it appears that the provision of workers' compensation insurance does not impact most individuals' decision to join or leave a VFD or VRS. In fact, according to the VFD and VRS survey results, only 10% of the volunteer fire departments' exiting members and 5% of the volunteer rescue squads' exiting members leave their respective departments due to the lack or inadequacy of workers' compensation insurance.

Additionally, a comparison can be made between the overall turnover rates of volunteers for the following groups: (i) departments with workers' compensation insurance provided by the municipalities, (ii) departments obtaining workers' compensation insurance independently, and (iii) departments not carrying workers' compensation insurance. The turnover rates for volunteers for VRSs for these groups are as follows: (i) 15.8%, (ii) 17.9%, and (iii) 13.3%. The turnover rates for volunteers for VFDs are (i) 9.8%, (ii) 12.9%, and (iii) 11.2%. This comparison shows that the turnover in departments that do not carry workers' compensation insurance is no higher than that of departments that carry workers' compensation insurance.

While this information is not sufficient to make a definitive statement as to the impact of insurance coverage on the turnover rates of volunteers, it could be interpreted to mean that the provision of workers' compensation is not the primary driver of turnover rates for volunteers. Additional support for this interpretation of the data may be found in a review of the use of alternate forms of insurance (such as health and disability insurance) by VRSs and VFDs as a substitute for workers' compensation insurance.

The VFD and VRS surveys collected information on the provision of health and disability insurance in each of the respondent's departments. There are 15 VRSs with 806 volunteers and 21 VFDs with 667 volunteers that provide no form of insurance protection for their volunteers. Thus, 8.7% of responding VRS volunteers and 7.4% of responding VFD volunteers are not covered by workers' compensation, health, or disability insurance through their respective department. This fact, in conjunction with the low turnover rates and low degree of variance in turnover rates between groups with insurance and groups without insurance, indicates that the level of participation in VRSs and VFDs is not adversely affected by the provision of insurance coverage. In fact, for

the majority of VRS and VFD members (91.3% of responding VRS members and 92.6% of responding VFD members), workers' compensation insurance, health insurance, or disability insurance coverage is made available.

Additionally, the Bureau evaluated information provided by the United States Fire Administration (USFA) and the National Council of Compensation Insurance (NCCI). The USFA data indicates there has been one firefighter fatality (a volunteer firefighter in 1999) reported in the Commonwealth since 1994. The NCCI data for the time period from February 1989 to January 1998 indicates that four serious injuries and nine non-serious injuries were reported. There is no additional detail regarding these losses that would indicate the severity or nature of the injuries. Several individuals within the volunteer firefighter community have suggested that these low rates of injury/death are due in part to the requirement that volunteers undergo the same rigorous training program required of paid fire and emergency medical personnel.

Other States' Benefit Levels

The Bureau obtained information regarding other states' statutory levels of workers' compensation benefits for volunteer firefighters and rescue squad members to determine how the wage replacement benefits provided to Virginia volunteers compare to the benefits provided to volunteers performing the same duties in other states. A synopsis of each state's provision is contained in Exhibit 4.

Currently, Virginia sets the weekly compensation amount for wage replacement for volunteer firefighters and rescue squad members at \$151.50, for a maximum of 500 weeks. This amount is the minimum weekly benefit payable under the Act and represents one quarter of the maximum weekly benefit of \$606.00. A review of other states' laws found that there are various means of setting the amount of wage replacement benefits for volunteer firefighters and rescue squad members. The most common method (used in 16 states) is to index the benefit level on the average wages of the volunteer's principal employment. Ten states set the benefit at the statewide maximum weekly benefit, seven states set the wages equal to a paid firefighter or rescue squad member, and eight states have some other unique method of establishing the compensation level. Thirty-nine of the 41 states examined provide wage replacement benefits to volunteer firefighters and volunteer rescue squad members that exceed those provided to volunteers in Virginia. One state provides the same level of benefits (Arkansas), and one state provides a lower level (Texas).⁴

⁴ Virginia and 41 other states' workers' compensation laws were searched for language dealing with volunteer firefighter and rescue squad compensation-setting methods. Eight states had either no specific reference to volunteers or no language detailing a compensation-setting methodology.

Conclusion

The Commission was asked to address the following three issues: (i) the extent to which volunteer firefighters and volunteer rescue squads are covered by workers' compensation insurance and other types of insurance; (ii) whether the provision of insurance coverage for these volunteers is affecting the level of participation in volunteer fire departments and volunteer rescue squads; and (iii) whether insurance coverages provided for the volunteers should extend beyond those provided under current workers' compensation laws.

According to the survey results, 62.0% of responding VFD members and 71.4% of responding VRS members are covered by workers' compensation insurance. Also, 91.3% of responding VRS members and 92.6% of responding VFD members are covered by workers' compensation insurance, health insurance, or disability insurance. The level of participation in the Virginia volunteer fire departments and rescue squads does not appear to be affected by the provision of insurance coverage as evidenced by (i) the low turnover rate for volunteers and (ii) the lack of variation in the turnover rates according to whether or not workers' compensation insurance is provided by the department. In fact, according to the VFD and VRS survey results, only 10% of the volunteer fire departments' exiting members and 5% of the volunteer rescue squads' exiting members leave their respective departments due to a perceived lack or inadequacy of workers' compensation insurance.

Currently, there is no detailed national or state level insurance-related data pertaining specifically to the injury or death rate for volunteer firefighters and rescue squad members. While limited information regarding the number of volunteer injuries/deaths does exist, a lack of detail concerning the severity of disabilities arising from the injuries makes it difficult to comment on the appropriateness of current insurance coverage levels. However, based on a review of other states' wage replacement benefits for volunteer firefighters and rescue squad members, it appears that Virginia's wage replacement benefits fall below those provided in most other states.

Exhibit 1

Municipal Administrator Survey

SCC Bureau of Insurance

1. Does your municipality have **volunteer firefighters** within your fire department? Yes No
(If Yes, please complete questions a & b)

a) Currently, workers' compensation insurance for our **volunteer** firefighters is
 provided by the municipality obtained independently by the fire department not carried
If the response is "not carried," why not? _____

b) At fully staffed levels, our fire department has _____ (#) **volunteer** firefighters and _____ (#) **paid** firefighters.

2. Does your municipality have **volunteers** within your rescue squad? Yes No
(If Yes, please complete questions a & b)

a) Currently, workers' compensation insurance for our **volunteer** rescue squad members is
 provided by the municipality obtained independently by the rescue squad not carried
If the response is "not carried," why not? _____

b) At fully staffed levels, our rescue squad has _____ (#) **volunteer** members and _____ (#) **paid** members.

3. Do you currently make available to your **volunteers** one or both of these types of insurance?

Health Insurance Yes No

Disability Insurance Yes No

Exhibit 2

Volunteer Fire Department Survey

SCC Bureau of Insurance

1. Currently, workers' compensation insurance for *volunteer* firefighters is (check one):
 provided by our municipality obtained independently by our fire department not carried
If the response is "not carried," why not? _____
2. Do you currently make available to your *volunteers* one or both of these types of insurance?
Health Insurance Yes No
Disability Insurance Yes No
3. At fully staffed levels, our fire department has ____ (#) *volunteer* firefighters and ____ (#) *paid* firefighters.
4. Currently, the department has ____ (#) vacant positions for *volunteer* firefighters.
5. Approximately ____ (#) *volunteer* firefighters leave our department annually.
6. Approximately ____ (#) *volunteer* firefighters leave our department annually because they are not covered by workers' compensation insurance.
7. Approximately ____ (#) *volunteer* firefighters leave our department annually because their workers' compensation benefits are insufficient.

Exhibit 3

Volunteer Rescue Squad Survey

SCC Bureau of Insurance

1. Currently, workers' compensation insurance for *volunteer* rescue squad members is (check one):
 provided by our municipality obtained independently by our rescue squad not carried
If the response is "not carried," why not? _____
2. Do you currently make available to your *volunteers* one or both of these types of insurance?
Health Insurance **Yes** **No**
Disability Insurance **Yes** **No**
3. At fully staffed levels, our rescue squad has _____ (#) *volunteers* and _____ (#) *paid* members.
4. Currently, our rescue squad has _____ (#) vacant positions for *volunteers*.
5. Approximately _____ (#) *volunteers* leave our rescue squad annually.
- o. Approximately _____ (#) *volunteers* leave our rescue squad annually because they are not covered by workers' compensation insurance.
7. Approximately _____ (#) *volunteers* leave our rescue squad annually because their workers' compensation benefits are insufficient.

Exhibit 4

State	Volunteer Benefit Provided
Alabama	EQUIVALENT TO 2/3RDS OF WAGES OF PRINCIPAL EMPLOYMENT WITH A MINIMUM OF 2/3RDS OF THE STATEWIDE MAXIMUM WEEKLY BENEFIT
Alaska	NOT TO EXCEED THE SALARY OF A PAID MEMBER OF THE SAME RANK OR GRADE
Arizona	EQUIVALENT TO THE BEGINNING SALARY OF A PAID MEMBER OF THE SAME RANK OR GRADE
Arkansas	MINIMUM WEEKLY BENEFIT (SAME AS VIRGINIA)
California	EQUIVALENT TO THE STATE MAXIMUM BENEFIT
Colorado	EQUIVALENT TO THE STATE MAXIMUM BENEFIT
Connecticut	EQUIVALENT TO WAGES OF THE PARTICULAR EMPLOYMENT THE VOLUNTEER WAS ENGAGED IN AT THE TIME OF THE INJURY
Delaware	EQUIVALENT TO WAGES OF THE PARTICULAR EMPLOYMENT THE VOLUNTEER WAS ENGAGED IN AT THE TIME OF THE INJURY
Georgia	EQUIVALENT TO THE AVERAGE WEEKLY WAGE OF PRODUCTION WORKERS IN MANUFACTURING INDUSTRIES FOR THE IMMEDIATELY PRECEDING CALENDAR YEAR AS PUBLISHED BY THE GEORGIA DEPARTMENT OF LABOR
Hawaii	EQUIVALENT TO THE WAGES OF A PAID EMPLOYEE IN THE SAME TYPE OF EMPLOYMENT IN WHICH THE INJURY OCCURRED (I.E., FIREFIGHTER OR RESCUE SQUAD PAID MEMBERS)
Idaho	EQUIVALENT TO WAGES OF THE PARTICULAR EMPLOYMENT THE VOLUNTEER WAS ENGAGED IN AT THE TIME OF THE INJURY
Illinois	EQUIVALENT TO THE AVERAGE WEEKLY WAGE IN VOLUNTEER'S PARTICULAR EMPLOYMENT
Indiana	\$250 PER WEEK BENEFIT
Iowa	EQUIVALENT TO AVERAGE WEEKLY WAGE IN VOLUNTEER'S PARTICULAR EMPLOYMENT OR 140% OF STATEWIDE AVERAGE WEEKLY WAGE, WHICHEVER IS GREATER
Kansas	EQUIVALENT TO THE WAGES OF A PAID EMPLOYEE IN THE SAME TYPE OF EMPLOYMENT IN WHICH THE INJURY OCCURRED (I.E., FIREFIGHTER OR RESCUE SQUAD PAID MEMBERS)
Kentucky	EQUIVALENT TO WAGES OF THE PARTICULAR EMPLOYMENT THE VOLUNTEER WAS ENGAGED IN AT THE TIME OF THE INJURY
Louisiana	EQUIVALENT TO WAGES OF THE PARTICULAR EMPLOYMENT THE VOLUNTEER WAS ENGAGED IN AT THE TIME OF THE INJURY, BUT NOT LESS THAN THAT GENERATED BY THE FEDERAL MINIMUM WAGE

Maine	EQUIVALENT TO THE AVERAGE WEEKLY WAGE IN VOLUNTEER'S PARTICULAR EMPLOYMENT
Maryland	NOT TO EXCEED THE SALARY OF A PAID MEMBER OF THE SAME RANK OR GRADE
Michigan	EQUIVALENT TO THE STATEWIDE AVERAGE WEEKLY WAGE OR THE AVERAGE WEEKLY WAGE IN VOLUNTEER'S PARTICULAR EMPLOYMENT, WHICHEVER IS GREATER
Minnesota	EQUIVALENT TO THE USUAL WAGE PAID AT THE TIME OF INJURY OR DEATH FOR SIMILAR SERVICES PERFORMED BY PAID EMPLOYEES
Missouri	EQUIVALENT TO THE AVERAGE WEEKLY WAGE PREVAILING IN THE SAME OR SIMILAR EMPLOYMENT AT THE TIME OF THE INJURY
Montana	EQUIVALENT TO THE STATEWIDE AVERAGE WEEKLY WAGE
Nebraska	EQUIVALENT TO THOSE RECEIVED BY THE VOLUNTEER FROM HIS OR HER REGULAR EMPLOYER
Nevada	SET AT \$2,000 PER MONTH
New Hampshire	EQUIVALENT TO THE AVERAGE WEEKLY WAGE THAT ENTITLES THE VOLUNTEER TO 100 % OF THE STATE'S AVERAGE WEEKLY WAGE AS A MAXIMUM BENEFIT
New Jersey	EQUIVALENT TO THE STATE MAXIMUM BENEFIT
New York	HAS OWN ACT - VOLUNTEER FIREFIGHTERS' BENEFIT LAW AND VOLUNTEER AMBULANCE WORKERS' BENEFIT LAW, WHICH PROVIDE EXTENSIVE BENEFITS TO VOLUNTEERS
North Carolina	EQUIVALENT TO WAGES OF PRINCIPAL EMPLOYMENT WITH A MINIMUM OF 2/3RDS OF THE MAXIMUM WEEKLY BENEFIT
North Dakota	EQUIVALENT TO THE WEEKLY WAGE OF THE CLAIMANT TAKEN FROM A COMPUTATION OF INCOME DERIVED FROM THE CLAIMANT'S BUSINESS OR EMPLOYMENT
Oklahoma	COMPENSATION SHALL BE DETERMINED BY USING THE EARNINGS OF THE VOLUNTEER IN THE VOLUNTEER'S REGULAR OCCUPATION
Pennsylvania	EQUIVALENT TO THE STATE MAXIMUM BENEFIT
Rhode Island	\$50.00 PER DAY (\$350.00 PER WEEK)
South Carolina	37 ½% OF STATEWIDE AVERAGE WEEKLY WAGE
South Dakota	EQUIVALENT TO THE STATE MAXIMUM BENEFIT
Texas	15% OF THE STATEWIDE AVERAGE WEEKLY WAGE
Utah	EQUIVALENT TO WAGES OF THE PARTICULAR EMPLOYMENT THE VOLUNTEER WAS ENGAGED IN AT THE TIME OF THE INJURY

