

EXHIBIT “A”

**AMENDMENT
TO
FIRE AND POLICE DISABILITY, RETIREMENT
AND DEATH BENEFIT PLAN**

In order to comply with Section 656.802(4) of the Oregon Revised Statutes, Laws relating to Workers’ Compensation and Safe Employment in Oregon, the City of Portland’s Fire and Police Disability, Retirement and Death Benefit Plan, set out in Chapter 5 of the City Charter, is amended by ordinance as follows:

The Council of the City of Portland directs:

1. The Bureau of Fire and Police Disability and Retirement (FPDR) extend eligible firefighters the heart/lung presumptions as provided under Oregon Workers’ Compensation Law.
2. That in doing so, effective June 1, 2021, FPDR utilize the criteria for heart/lung presumptions when processing claims filed on or after June 1, 2021 for firefighters covered under Chapter 5 of the Portland Charter as follows:

ORS Section 656.802

(4)(a) Death, disability or impairment of health of firefighters of any political division who have completed five or more years of employment as firefighters, caused by any disease of the lungs or respiratory tract, hypertension or cardiovascular-renal disease, and resulting from their employment as firefighters is an “occupational disease.” Any condition or impairment of health arising under this subsection shall be presumed to result from a firefighter’s employment. However, any such firefighter must have taken a physical examination upon becoming a firefighter, or subsequently thereto, which failed to reveal any evidence of such condition or impairment of health arising under this subsection must be on the basis of clear and convincing medical evidence that the cause of the condition or impairment is unrelated to the firefighter’s employment.

(b) Notwithstanding ORS 656.027(6), a city that provides a disability or retirement system for firefighters by ordinance or charter that is not subject to this chapter, when accepting and processing claims for death, disability or impairment of health from firefighters covered by the disability or retirement system, shall apply:

- (A) The provisions of this subsection; and
- (B) For claims filed under this subsection, the time limitations for filing claims that are set forth in ORS 656.807(1) and (2).