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190975

Ordinance

Amend the Fire and Police Disability, Retirement, and Death Benefit Plan to expand additional cancer presumptions

Passed

The City of Portland ordains:

Section 1. The Council finds:

1. That the Fire and Police Disability and Retirement Fund ("FPDR") currently provides Occupational Disability benefits to eligible members of the Bureau of Fire and Rescue.
2. That by Ordinance No. 183128 in 2009, Chapter 5 of the Charter of the City of Portland ("Charter"), was amended to implement House Bill 2420 (2009) which required that FPDR apply the provisions of Oregon Revised Statutes (ORS) 656.802 when processing claims for firefighters covered under the Charter and extend to eligible firefighters the cancer presumptions provided under Oregon Workers' Compensation Law.
3. That Enrolled House Bill 4113 of the 81st Oregon Legislative Session – 2022 Regular Session amended provisions of ORS 656.802 by expanding the types of cancers listed in ORS 656.802(5)(A) to include bladder cancer or gynecologic cancer of the uterus, fallopian tubes, ovaries, cervix, vagina, or vulva.
4. That pursuant to Portland City Charter Section 5-403(a), the Council may provide by ordinance for additional benefits to be paid from FPDR if the City of Portland is required by law to extend to members such additional benefits.

NOW, THEREFORE, the Council directs:

- A. That Chapter 5 of the Charter be amended to include the expanded list of cancers as listed in ORS 656.802(5)(a)(A).
- B. That the provisions in Exhibit A attached hereto be made part of Chapter 5 of the Charter of the City of Portland effective January 1,

Introduced by

[Commissioner Jo Ann Hardesty](#)

Bureau

[Fire and Police Disability and Retirement](#)

Contact

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Disability & Retirement Director

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Requested Agenda Type

Regular

Portland Policy Document

2023, and that the Board of Trustees has authority to prescribe rules and regulations for its administration.

C. This ordinance is considered Binding City Policy.

Documents and Exhibits

 [Exhibit A](#) (31.5 Kb)

An ordinance when passed by the Council shall be signed by the Auditor. It shall be carefully filed and preserved in the custody of the Auditor (City Charter Chapter 2 Article 1 Section 2-122)

Passed by Council
August 24, 2022

Auditor of the City of Portland
Mary Hull Caballero

Impact Statement

Purpose of Proposed Legislation and Background Information

Provide authority to FPDR to extend to eligible firefighters the additional cancer presumptions required under ORS 656.802(5)(A) on relevant occupational disability claims.

Financial and Budgetary Impacts

The General Fund will not incur any costs as a result of this ordinance. All costs will be borne by the FPDR Fund, which is financed with a dedicated property tax levy separate from the City's general government levy. All costs can be absorbed within FPDR's FY 2022-23 Proposed Budget and FYE23-27 five-year forecast. The FPDR Fund also has a \$13.5 million contingency reserve for FY 2022-23, which is available for appropriation later in the fiscal year if necessary.

The addition of the cancer presumptions listed under ORS 656.802(5)(A) will increase FPDR disability costs by an unknown amount. While FPDR is not able to quantify the additional costs with existing data, disability benefit expenses comprise less than 5% of total FPDR spending.

Community Impacts and Community Involvement

None.

100% Renewable Goal

This action has no impact on the City's renewable energy goal.

Agenda Items

698 Regular Agenda in [August 3, 2022 Council Agenda](#)

Passed to second reading

Passed to second reading August 24, 2022 at 9:30 a.m.

724 Regular Agenda in [August 24, 2022 Council Agenda](#)

Passed

Commissioner Jo Ann Hardesty Absent

Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Mayor Ted Wheeler Yea