

House Labor & Industry Committee Hearing 10/1/2018

Good Afternoon, my name is Sandy R Yancey. Before I begin, I would like to thank Chairman Kauffman and members of the House Labor & Industry Committee for traveling to Dallastown Borough and holding this important public hearing on House Bill 1909. I would also like to thank Representative Kristin Phillips-Hill for her continued support and advocacy for the volunteer fire services. I am an active volunteer and social member of Rescue Fire Company No 1, Dallastown, PA. I serve not only in the duties associated with being a social and active member, but as the Enterprise Treasurer and insurance liaison for our department.

As for my professional background, I have been employed full time in the insurance industry for nearly 39 years. During that time, I have worked in the claims aspect of the industry, handling and managing workers' compensation claims. I am currently employed as a WC supervisor for a large third-party administrator.

As the insurance liaison for Rescue Fire Company, I have been responsible for submitting the WC claims on behalf of our members for many years. While we have had a very good track record as it relates to injuries, we are not perfect, and do occasionally have to file a claim. Over the past 9 years I have filed 11 WC claims on behalf of our members. All claims were filed with SWIF. Of the 11 claims filed, 5 claims were for injuries sustained by a social member. At no time in the past did an issue of coverage for one of our social members arise after filing of the claim. All claims submitted to date have been covered by SWIF, without question, until the claim filed in July of 2018.

Being a volunteer department, we depend on several sources of revenue to operate including our weekly Friday night bingo. Bingo is our largest fundraiser and we rely on both active and social members each week. On the evening of Friday, July 13, 2018, one of our social members had her hand caught in a door resulting in abrasions, contusions and fractures to several fingers. Immediate treatment was required followed by approximately 6 weeks of therapy. This injury resulted in several thousand dollars of medical costs. Thankfully, there was no wage loss associated with this claim.

This most recent claim was filed in the same manner that all other claims have been filed in the past by Rescue Fire Company. After the initial filing of the claim, I was contacted by SWIF and asked to provide additional information regarding the member and the incident. At the same time, the injured party was also contacted and instructed to complete a questionnaire sent to her by SWIF. Shortly after the questionnaire was completed and returned, I was contacted a second time by a SWIF claims representative. I was asked to clarify some of the specific questions I was asked originally as it relates to the members activities within the firehouse at the time of the

incident. The next day I was contacted by a SWIF supervisor and advised that the claim was being denied due to the member not being an “active” member. A conversation ensued where I questioned the basis of the denial and what she meant by the injured member not being an “active” member. I was informed that the member is not able to run active fire calls so she is not covered. I questioned why the fact that she cannot jump on a rig made a difference. She informed me that social members are not covered under the WC Act. I proceeded to inform her of my background and career and that I was very well versed in the WC Act. I asked her to point out to me where in the Act it states that a “social” member is not covered by the WC Act. She could not answer my question. I pulled the Act and pointed out to her that the section covering volunteer fire companies does not exclude social members. I cited section 601 as stating that you need only be a member of the fire department and performing any duty of the fire department. She became upset with me and stated the injured member must be able to fight fire and must be a fireman. I again stated that is not what the act states. I then ask her what would happen if an active firefighter would have been doing the same duty that our injured member was doing. She proceeded to tell me that if it would have been a firefighter that was injured doing the same fund-raising function, they would be covered because it does not matter what the firefighter is doing, they are covered.

I also questioned the supervisor about the previous claims submitted by Rescue Fire Company on behalf of social members that were accepted. Being aggravated with me, she asked me who they were. I proceeded to advise her of all of the member’s names and she pulled them up one by one as we were talking. She then proceeded to tell me that those claims were “miss-handled” by the adjusters. The conversation ended as the goal was not to be argumentative with me and that the denial was her final position.

I am unsure as to what has changed to cause our firehouse and members to be in the position we are in today. I do believe there is a misinterpretation of the act by SWIF. All of our members, regardless of what they do for the firehouse, are imperative to the function of the firehouse and working to raise the funds needed so that we can continue to service our communities. We are in the business of saving homes and lives and whatever other duties that are needed to make our communities safe. Since we are a volunteer organization, we must raise funds in order to be able to do our motto of “We Strive to Serve and Serve to Save”.

Our social members work alongside of our active firefighters doing the same job duties when it comes to fund raising and community service. Our social members work very hard to run the programs that raise the funds to be able to do what it is we take pride in every day. They support not only the firehouse in many ways, but the firefighters even when they are in the line of active duty, by cooking for them, assisting in clean up and making sure they are taken care of while they are working to help others in times of need. Volunteer Fire Companies cannot

survive or function without the support of social members whose roles are just as important as the firefighting roles, just serving a different purpose in our common goals.

If we cannot raise the necessary funds to keep our doors open, volunteer fire companies will be nothing more than a distant memory. Social members play a pivotal role in our department and departments across our great Commonwealth. Without them, we cannot hold our family suppers, our bingos, or our fire prevention open houses to name just a few. Loss of our volunteer fire departments will also have the potential to raise costs to boroughs and municipalities and jeopardize homes and lives by not having those living right in the community there in a time of need.

The volunteer fire service needs HB1909! We all have different jobs within our departments but we all work together to accomplish the same goal; SAVING LIVES. I implore each of you to talk with your own volunteer fire companies and learn just how invaluable our social members truly are.