

TITLE 270. OKLAHOMA FIREFIGHTERS PENSION AND RETIREMENT SYSTEM

CHAPTER 10. FIREFIGHTERS PENSION AND RETIREMENT PLAN

RULE IMPACT STATEMENT

A. Brief description of the purpose of the proposed rule.

1. Section 270:10-1-5

The purpose of the proposed rule amendment to Section 270:10-1-5 is to set forth the conditions under which a member with one or more Category B medical conditions present upon entry into the Oklahoma Firefighters Pension and Retirement System (the “System”) may be eligible for a disability pension related to the same Category B condition(s).

A further purpose of the proposed rule amendment is to revise and restate the list of Category A and Category B medical conditions applicable to candidates for a paid firefighter position with a participating municipality.

2. Section 270:10-1-6

The purpose of the proposed rule amendment to Section 270:10-1-6 is to provide an alternative performance and agility test that a candidate for a paid firefighter position with a participating municipality must complete and pass to be hired as a paid firefighter.

A further purpose of the proposed rule amendment is to revise and restate the existing performance and agility test for all candidates for a paid firefighter position with a participating municipality.

3. Section 270:10-1-7

The purpose of the proposed rule amendment to Section 270:10-1-7 is to require that a candidate for a paid firefighter position with a participating municipality demonstrate the ability to perform the essential job functions of a firefighter by completing a physical examination performed pursuant to Section 270:10-1-5 and a performance and agility test pursuant to Section 270:10-1-6 to be eligible to be a member of the System.

A further purpose of the proposed rule amendment is to revise and restate the essential job functions of a firefighter.

B. Description of the classes of persons who most likely will be affected by the proposed rule, including classes that will bear the costs of the proposed rule, and any information on cost impacts received by the agency from any private or public entities.

1. Section 270:10-1-5

The proposed rule amendment to Section 270:10-1-5 impacts firefighters employed by the System who had one or more Category B medical conditions upon entry into the System, and who may be eligible for consideration of a disability pension related to the same Category B medical condition(s). No information on cost impacts have been received by the System from any private or public entities.

2. Section 270:10-1-6

The proposed rule amendment to Section 270:10-1-6 impacts future candidates seeking to become paid firefighters of a participating municipality. No information on cost impacts have been received by the System from any private or public entities.

3. Section 270:10-1-7

The proposed rule amendment to Section 270:10-1-7 impacts future candidates seeking to become members of the System as a paid firefighter of a participating municipality. No information on cost impacts have been received by the System from any private or public entities.

C. Description of the classes of persons who will benefit from the proposed rule.

1. Section 270:10-1-5

The proposed rule amendment to Section 270:10-1-5 benefits paid firefighters who are members of the System who have one or more Category B medical conditions and become disabled while employed as a firefighter with a participating municipality.

2. Section 270:10-1-6

The proposed rule amendment to Section 270:10-1-6 benefits participating municipalities and candidates for a paid firefighter of a participating municipality by providing an alternative performance and agility test.

3. Section 270:10-1-7

The proposed rule amendment to Section 270:10-1-7 benefits the general public.

D. Description of the probable economic impact of the proposed rule upon affected classes of persons or political subdivisions, including a listing of all fee changes and, whenever possible, a separate justification for each fee change.

No economic impact is anticipated from the proposed rules amendments. There are no fee changes due to the proposed rule amendments.

E. The probable costs and benefits to the agency and to any other agency of the implementation and enforcement of the proposed rule, the source of revenue to be used for implementation and enforcement of the proposed rule, and any anticipated effect on state revenues, including a projected net loss or gain in such revenues if it can be projected by the agency.

1. Section 270:10-1-5

It is not anticipated that any additional costs will be incurred by the System or any other agency, nor is it anticipated that any revenues will be required, to implement and enforce the proposed rule amendment. No effect on state revenues is anticipated.

The System will benefit from the proposed rule amendment by ensuring the medical conditions under which a member is eligible for entry into the System are consistent with the ability to perform the essential job functions of a firefighter.

Section 270:10-1-6

It is not anticipated that any additional costs will be incurred by the System or any other agency, nor is it anticipated that any revenues will be required, to implement and enforce the proposed rule amendment. No effect on state revenues is anticipated.

The System will benefit from the proposed rule amendment by ensuring that candidates for a paid firefighter of a participating municipality complete an appropriate physical performance/agility test that is consistent with the candidate's ability to safely perform the essential job functions of a firefighter.

2. Section 270:10-1-7

It is not anticipated that any additional costs will be incurred by the System or any other agency, nor is it anticipated that any revenues will be required, to implement and enforce the proposed rule amendment. No effect on state revenues is anticipated.

The System will benefit from the proposed rule amendment by ensuring the description of the essential job functions of a firefighter is accurate.

It is not anticipated that the proposed rules will have an economic impact on any political subdivision or require the cooperation of any political subdivision in implementing or enforcing the proposed rules.

G. Determination of whether implementation of the proposed rule will have an adverse economic effect on small business as provided by the Oklahoma Small Business Regulatory Flexibility Act.

It is not anticipated that the proposed rules will have an adverse economic effect on small business as provided by the Oklahoma Small Business Regulatory Flexibility Act.

H. Explanation of the measures the agency has taken to minimize compliance costs and a determination of whether there are less costly or non-regulatory methods or less intrusive methods for achieving the purpose of the proposed rule.

It is not anticipated that the proposed rules will have any compliance costs. There should be no less costly or non-regulatory methods or less intrusive methods for achieving the purposes of the proposed rules.

I. Determination of the effect of the proposed rule on the public health, safety and environment and, if the proposed rule is designed to reduce significant risks to the public health, safety and environment, an explanation of the nature of the risk and to what extent the proposed rule will reduce the risk.

The proposed rule amendments to Sections 270:10-1-5, 270:10-1-6, and 270:10-1-7 may positively affect the public health and safety by reducing the risk that a candidate who is unable to perform the essential functions of a firefighter becomes a paid firefighter.

The proposed rule amendment to Sections 270:10-1-5, 270:10-1-6, and 270:10-1-7 are not expected to affect the environment.

J. Determination of any detrimental effect on the public health, safety and environment if the proposed rule is not implemented.

A detrimental effect on the public health or safety may be expected if the proposed rule amendments to Sections 270:10-1-5, 270:10-1-6, and 270:10-1-7 are not implemented.

No detrimental effects on the environment are expected if the proposed rule amendments to Sections 270:10-1-5, 270:10-1-6, and 270:10-1-7 are not implemented.

K. Date the rule impact statement was prepared and if modified, the date modified.

March 1, 2021.

