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Barletta: Obamacare Threatens Volunteer Fire Companies

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Pennsylvania - Congressman Lou Barletta is concerned that the Affordable Care Act could create a financial hardship for volunteer fire departments and jeopardize public safety if volunteer departments with 50 or more members are required to provide insurance for employees who work at least 30 hours per week.

While Barletta's concerns likely wouldn't pertain to volunteer fire departments in southern Luzerne County, several fire chiefs from throughout Greater Hazleton believe the congressman's questions have merit -- and deserve answers.

Barletta said in a news release issued Tuesday that he wants the Internal Revenue Service to clarify whether the Shared Responsibility Provision of Obamacare will result in "crushing cost increases" for Pennsylvania's volunteer fire fighters and emergency responders.

The IRS treats all firefighters -- whether they are volunteer or paid -- as employees for federal tax purposes, the congressman said. However, the Shared Responsibility Provision of the health care law requires employers of 50 or more employees to provide health insurance to anyone who works at least 30 hours per week or face a penalty, Barletta said.

"As a former mayor, I know from personal experience how much people count on their volunteer firefighters," Barletta said. "And once again Obamacare has raised more questions than it has answered. First, are all volunteer firefighters considered employees and therefore subject to the employer mandate under Obamacare? And second, how should volunteer time be counted to see if they're working 30 hours?"

Barletta wrote to IRS Acting Commissioner of Internal Revenue Daniel Werfel asking for clarification to "protect first responders."

"This could be achieved by utilizing existing langue in the Fair Labor Standards Act (FLSA) and Internal Revenue Code (IRC) that allow for individuals to receive 'reasonable benefits and nominal fee(s)' while still being considered volunteers," Barletta wrote.

West Hazleton Fire Chief Dennis Ganc shared Barletta's concerns, saying issues raised by the congressman could create a bookkeeping nightmare for administrators who would have to decide how to track hours logged by volunteer members -- and potentially create a financial burden.

"We don't punch time clocks but we are technically on call around the clock," Ganc said. "If we're on call around the clock, does that constitute that you're constantly on the job? Realistically, we're not covered under the municipality unless our pager goes off and we're responding to a call, we're on the scene of an incident and/or at the firehouse performing responsibilities in the capacity as a volunteer firefighter."

He also asked how the government defines an hour of service provided by each volunteer.

"How would you determine how many hours a volunteer would be so-called 'working?'" Ganc asked.

West Hazleton's fire company has at least 50 people who are considered volunteer members, but Ganc estimates that between 20 and 25 consistently respond to calls.

Bill Gallagher, a volunteer firefighter in Hazle Township , said Barletta's concerns likely wouldn't impact the township because it has about 35 active volunteer firefighters.

Written by Standard-Speaker

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