



BOSTON CITY COUNCIL

Committee on Government Operations
Gabriela Coletta Zapata, Chair

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REPORT OF COMMITTEE CHAIR

November 6, 2024

Dear Councilors,

The Committee on Government Operations was referred the following docket for consideration:

Docket #1202, petition for a Special Law re: An Act Providing Certain Death Benefits for Rachel Marie Troy, the Widow of a former Firefighter of the City of Boston.

This matter was sponsored by Councilors Ed Flynn and Erin Murphy and referred to the Committee on August 7, 2024.

Summary of Legislation

Docket #1202 is a Home Rule Petition (HRP) intended to deem the petitioner eligible to receive death benefits available under **M.G.L. c.32 s.9** via the presumption established under **M.G.L. c.32 s.94B**.

Section 9 provides for conditions under which death benefits may be made available to beneficiaries of public service members who die as a direct result of an injury or hazard experienced while performing duties. **Section 9** benefits provide for lump sum payment from the Boston Retirement Board equal to the total accumulated retirement deductions paid by Mathew M. Troy into the annuity savings fund, as well as a yearly amount of pension equal to 72% of the annual rate of regular compensation of such member on the date such injury was sustained or a yearly amount of pension equal to 72% of the average annual rate of his regular compensation for the 12 month period for which he last received regular compensation immediately preceding the date of his death, whichever is greater.

Section 94B establishes a presumption that certain cancers affecting specific body systems that cause total disability or death in certain fire and public safety personnel are job-related. The law applies if the cancer is of a type that could generally result from exposure to heat, radiation, or a recognized carcinogen, as identified by the International Agency for Research on Cancer (IARC). It also extends to any other cancers with a statistically significant correlation to fire service exposure, as regulated by the Commissioner of Public Health. To qualify, the affected individual must have passed a physical examination at the start of service that did not reveal cancer. The presumption stands unless it's proven by a preponderance of evidence that non-service-related factors caused the cancer. **Section 94B**, subsection outlines eligibility limitations for the cancer presumption benefits, specifying that the presumption does not apply to individuals who have served in eligible fire or public safety roles for fewer than five years when the cancer was first diagnosed or should have been discovered. This Home Rule Petition is



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necessary as Firefighter Troy was diagnosed 4 years into his time with the Department, just a few months shy of the five-year requirement.

Information Received at Hearing

The Committee held a hearing on November 1, 2024. The Committee heard testimony from Petitioner Rachel Marie Troy, widow of Firefighter Mathew Troy, and Sam Dillon, President of Boston Firefighters IAFF Local 718. The Petitioner shared her personal story, detailing her relationship with Firefighter Troy, their life together, and the challenges they faced together after his cancer diagnosis. Petitioner stated that following his time in the Marines, Firefighter Troy joined the Boston Fire Department in 2018. In 2022, at age 30, Firefighter Troy was diagnosed with stage 4 Cholangiocarcinoma, a cancer of the bile ducts in the liver. Following his diagnosis, in 2024, Firefighter Troy passed away at 32 years old. The Petitioner described the immense layer of difficulty the loss of income has added to her grief as she mourns the loss of her husband and is confronted with the reality of managing expenses on her own. The Petitioner stated that since losing her husband, financial pressures have only intensified her grief, explaining that she could only take one month off from work as bills began to pile up. President Dillon testified to Firefighter Troy's dedication as a firefighter and the impact of his loss on the firefighting community. President Dillon requested the Committee pass this petition to grant the Petitioner the benefits she would have automatically received had Firefighter Troy been diagnosed a few months later.

Councilors expressed their support for this petition and, in acknowledging the sacrifices made by Firefighter Troy, emphasized the need to provide the Petitioner with the benefits she deserves.

Committee Chair Recommended Action

As Chair of the Committee on Government Operations, I recommend moving the listed docket from the Committee to the full Council for discussion and formal action. At this time, my recommendation to the full Council will be that this matter **OUGHT TO PASS**.

Gabriela Coletta Zapata, Chair
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