



DEPARTMENT OF HEALTH AND HUMAN SERVICES

Public Health Service

Centers for Disease Control and Prevention  
National Institute for Occupational  
Safety and Health  
Robert A. Taft Laboratories  
4676 Columbia Parkway  
Cincinnati OH 45226-1998

February 23, 2005

James Burns, President  
National Association of State Fire Marshals  
P.O. Box 4137  
Clifton Park, NY 12065

Dear Mr. Burns,

As you know, Congress passed the Hometown Heroes Survivors Benefits Act of 2003 on December 15, 2003. The Act amends the Omnibus Crime Control and Safe Streets Act of 1968, Section 1201 (K) and the Public Safety Officer's Benefits (PSOB) Act of 1976. The amendment provides financial benefits if a public safety officer dies as a direct and proximate result of a heart attack or stroke in specified duty situations. Currently, the death benefit is valued at approximately \$275,658.

Beneficiaries of the PSOB Death Benefits Program must comply with the PSOB Office's administrative review process by producing sufficient evidence to show that the public safety officer died as the direct and proximate result of a personal injury sustained in the line of duty. One such piece of evidence is an autopsy. According to the Bureau of Justice Affairs, after a fatality occurs, the fire department should make arrangements for an autopsy, which often provides the PSOB Office with useful information regarding the cause of death.

In the course of conducting the NIOSH Fire Fighter Fatality Investigation and Prevention Program, it has come to our attention on numerous occasions that no autopsy was conducted on a line of duty death. This has a threefold effect.

First, it may preclude surviving family members from receiving the PSOB death benefit. Secondly, it prevents medical doctors from identifying the actual cause of death. Thirdly, it prevents investigators, including NIOSH, from identifying the actual cause of death, how the firefighter's condition contributed to the death, and how these factors could have been identified and prevented by health/wellness programs offered by the fire department.

It is therefore requested that the National Association of State Fire Marshals (NASFM) alert each State Fire Marshal (SFM) of the importance of requiring an autopsy on all line of duty deaths. We recommend each SFM relay this information to every fire department within their respective state or jurisdiction.

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Thank you for your time in this matter. If you have any questions, don't hesitate to call me at (513) 841-4236 or email me at [tkb5@cdc.gov](mailto:tkb5@cdc.gov).

Sincerely yours,

A handwritten signature in blue ink, appearing to read "Tommy N. Baldwin". The signature is fluid and cursive, with the first name being the most prominent.

Tommy N. Baldwin  
Safety Specialist  
NIOSH Fire Fighter Fatality Investigation and Prevention Program  
Cardiovascular Disease Component