



INSURANCE BENEFITS, INC. - FUND ADMINISTRATOR

***** UPDATE *****

**BULLETIN TO MEMBER
VOLUNTEER FIRE DEPARTMENTS
and
ENTITIES WITH FIRE DEPARTMENTS
*Regarding "Out of State" Wildland Fires***

It's that time of year when wildland fires are common throughout the western United States. This is an update and of a bulletin that we issue each year to educate fire departments on changes relating to workers' compensation coverage for South Dakota fire departments that are dispatched due to a Federal or Interstate Compact request for assistance with "Out of State" wildland fires. Because we have several new fire departments that have joined the SDML Workers' Compensation Fund since this bulletin was first issued, we want to take this opportunity to help your fire department understand how workers' compensation coverage is handled for these "Out of State" wildland fire suppression requests.

Workers' Compensation coverage is not provided to South Dakota firefighters by the State of South Dakota, Federal Agencies or member agencies of the Great Plains Interstate Forest Fire Compact when they are dispatched to an "Out of State" wildland fire. In addition, the fire suppression agreement requires a Certificate of Work Comp Coverage that includes coverage outside of the State of South Dakota.

The SDML Workers' Compensation Fund will provide workers' compensation coverage to your firefighters that are certified to work these "Out of State" wildland fires should you and your fire department choose to be available for dispatch to an Interstate Compact or Federal request. We will also provide the required Work Comp Certificate of Coverage.

If you decide to respond to an Interstate Compact or Federal request, you must notify the SDML Workers' Compensation Fund Administrator when the fire department is dispatched. Please include how many firefighters are dispatched, the number of days expected to be dispatched and the location of the out-of-state fire. The amount paid to the firefighters by the fire department for their labor is compensation (payroll) as a paid wildland firefighter. The amount of compensation will be included on your payroll audit at the end of the year as Class Code 7705: Wildland Fires – Out of State. The 2024 rate for "Out of State" wildland firefighters is \$16.46 per \$100 of payroll (compensation). In January, we will contact the fire departments that have been dispatched to collect the payroll amount. The additional contribution for the "Out of State" wildland fire work comp coverage will be calculated and charged at the completion of the 2024 payroll audit. For example, if you pay your firefighters \$10,000 for responding to "Out of State" wildland fires during 2024, the additional cost for workers' compensation coverage will be \$1,646 and an invoice for this additional contribution will be mailed during the first quarter of 2024. Remember, this only applies to "Out of State" wildland fire requests.

"In State" wildland fires remain the same as always. The State of South Dakota provides the workers' compensation coverage for South Dakota firefighters who are dispatched to an "In State" wildland fire pursuant to SDCL 62-1-5.2.

We suggest that if you and your fire department will be participating with the Federal or Interstate Compact request, that it be authorized within your Council/Commission/District meeting minutes. If you have any questions, please don't hesitate to contact our office.

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