

Commerce & Labor Committee

HB 1990

Brief Description: *Describing occupational diseases affecting fire fighters.*

Sponsors: *Representatives Clements (co-prime sponsor), Conway (co-prime sponsor), Anderson, Kenney, Keiser and Woods.*

Brief Summary of Bill

- *Adds certain heart problems, specified cancers, and infectious diseases to the list of conditions that are presumed to be occupational diseases for fire fighters covered under the industrial insurance law.*

Hearing Date: *2/20/01*

Staff: *Chris Cordes (786-7103).*

Background:

A worker who, in the course of employment, is injured or suffers disability from an occupational disease is entitled to benefits under Washington's industrial insurance law. To prove an occupational disease, the injured worker must show that the disease arose "naturally and proximately" out of employment.

Members of the law enforcement officers' and fire fighters' retirement system plan II are covered for workplace injuries and occupational diseases under the industrial insurance law. For supervisory and actively employed full-time fire fighters, the industrial insurance law provides a presumption that respiratory diseases are occupational diseases. This presumption may be rebutted by a preponderance of controverting evidence, including the use of tobacco products, physical fitness, lifestyle, hereditary factors, and exposure from other employment or nonemployment activities. The presumption extends to a covered fire fighter for up to five years after terminating service (three months for each year of service).

A number of states have presumptions to establish that cancer, heart disease, and various

infectious diseases are work-related under disability or workers' compensation laws.

Summary of Bill:

Legislative findings are made concerning the exposure of fire fighters, because of their employment, to uncontrolled environments containing various hazardous substances such as smoke, infectious diseases, carcinogens, and toxic substances.

The industrial insurance law is amended to add three categories to the list of diseases presumed to be occupational diseases for supervisory and active full-time fire fighters:

- *Heart problems experienced within 72 hours of exposure to smoke, fumes, or toxic substances.*
- *Cancer affecting the skin, breasts, central nervous system, or lymphatic, digestive, hematological, urinary, skeletal, oral, or reproductive systems. To be covered, an active or former fire fighter must have cancer that developed or manifested itself after at least 10 years of service and must have had a qualifying medical examination at the time of becoming a fire fighter that showed no evidence of cancer.*

·*Infectious diseases.*

Rules Authority: *The bill does not contain provisions addressing the rule-making powers of an agency.*

Appropriation: *None.*

Fiscal Note: *Requested on February 14, 2001.*

Effective Date: *Ninety days after adjournment of session in which bill is passed.*