

WAC 296-14-330 What tobacco use may exclude a firefighter, emergency medical technician (EMT), fire investigator, or law enforcement officer from a presumption of coverage? The following table summarizes the situations listed in WAC 296-14-310 through 296-14-325 under which a presumption of coverage may not apply for firefighters and EMTs as defined in RCW 41.26.030 (17) (a), (b), (c), and (h) and fire investigators; and law enforcement officers as defined in RCW 41.26.030 (19) (b), (c), and (e) due to tobacco use.

Medical condition	Presumptions shall not apply	Presumption shall apply
Heart problems experienced within seventy-two hours of exposure to smoke, fumes, or toxic substance	Firefighters, EMTs, fire investigators, and law enforcement officers that are current smokers	Firefighters, EMTs, fire investigators, and law enforcement officers that never smoked tobacco
	Firefighters, EMTs, fire investigators, and law enforcement officers that are former smokers and last smoked less than two years prior to the cardiac event	Firefighters, EMTs, fire investigators, and law enforcement officers that are former smokers and last smoked more prior to the cardiac event
Asthma	Firefighters, EMTs, and fire investigators that are current smokers	Firefighters, EMTs, and fire investigators that never smoked tobacco
	Firefighters, EMTs, and fire investigators that are former smokers and last smoked less than five years before date of manifestation of the disease	Firefighters, EMTs, and fire investigators that are former smokers and last smoked five years or more before date of manifestation of the disease
Chronic obstructive pulmonary disease/ emphysema/ chronic bronchitis	Firefighters, EMTs, and fire investigators that are current smokers	Firefighters, EMTs, and fire investigators that never smoked tobacco
	Firefighters, EMTs, and fire investigators that are former smokers and last smoked less than 15 years before date of manifestation of the disease	Firefighters, EMTs, and fire investigators that are former smokers and last smoked 15 years or more before date of manifestation of the disease

Medical condition	Presumptions shall not apply	Presumption shall apply
Lung cancer	Firefighters, EMTs, and fire investigators that are current smokers	Firefighters, EMTs, and fire investigators that never smoked tobacco
	Firefighters, EMTs, and fire investigators that are former smokers and last smoked less than 15 years before date of manifestation of the disease	Firefighters, EMTs, and fire investigators that are former smokers and last smoked 15 years or more before date of manifestation of the disease

[Statutory Authority: RCW 51.04.020, 51.04.030, and 51.32.185. WSR 22-20-087, § 296-14-330, filed 10/4/22, effective 11/4/22. Statutory Authority: RCW 51.04.020, 51.32.185. WSR 03-12-046, § 296-14-330, filed 5/30/03, effective 7/1/03.]