
SENATE BILL 6158

State of Washington

56th Legislature

2000 Regular Session

By Senators Fairley, Prentice, Goings, Costa, McAuliffe, Gardner, Franklin, Kline and Kohl-Welles

Read first time 01/10/2000. Referred to Committee on Labor & Workforce Development.

1 AN ACT Relating to occupational diseases affecting fire fighters;
2 amending RCW 51.32.185; and creating a new section.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 NEW SECTION. **Sec. 1.** The legislature finds that the employment of
5 fire fighters exposes them to smoke, fumes, and toxic or chemical
6 substances. The legislature recognizes that fire fighters as a class
7 have a higher rate of such exposure than the general public subjecting
8 them to heart problems, such as atrial fibrillations. The legislature
9 therefore declares that heart problems, including atrial fibrillations,
10 that are experienced within one day of exposure to smoke, fumes, and
11 toxic or chemical substances are presumed to be occupationally related
12 for industrial insurance purposes for fire fighters.

13 **Sec. 2.** RCW 51.32.185 and 1987 c 515 s 2 are each amended to read
14 as follows:

15 (1) In the case of fire fighters as defined in RCW 41.26.030(4)
16 (a), (b), and (c) who are covered under Title 51 RCW, there shall exist
17 a prima facie presumption that (a) respiratory disease ((is-an)) and
18 (b) heart problems, including atrial fibrillations, that are

1 experienced within twenty-four hours of exposure to smoke, fumes, and
2 toxic or chemical substances are occupational diseases under RCW
3 51.08.140. This presumption of occupational disease may be rebutted by
4 a preponderance of the evidence controverting the presumption.
5 Controverting evidence may include, but is not limited to, use of
6 tobacco products, physical fitness and weight, lifestyle, hereditary
7 factors, and exposure from other employment or nonemployment
8 activities.

9 (2) The presumption established in subsection (1)(a) of this
10 section shall be extended to an applicable member following termination
11 of service for a period of three calendar months for each year of
12 requisite service, but may not extend more than sixty months following
13 the last date of employment.

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