

SENATE BILL REPORT

SB 6643

As Reported By Senate Committee On:
Labor, Commerce & Financial Institutions, February 6, 2002

Title: An act relating to occupational diseases affecting fire fighters.

Brief Description: Changing conditions that are presumed to be occupational diseases of fire fighters.

Sponsors: Senators Keiser, Prentice, Kastama, Winsley, Costa, Benton, Fairley, Roach, Zarelli, Kline, Rasmussen, Kohl-Welles and Hale.

Brief History:

Committee Activity: Labor, Commerce & Financial Institutions: 1/24/02, 2/6/02. [DPS, DNP]

SENATE COMMITTEE ON LABOR, COMMERCE & FINANCIAL INSTITUTIONS

Majority Report: That Substitute Senate Bill No. 6643 be substituted therefor, and the substitute bill do pass.

Signed by Senators Prentice, Chair; Keiser, Vice Chair; Benton, Fairley, Franklin, Gardner, Rasmussen and Winsley.

Minority Report: Do not pass.

Signed by Senator Honeyford.

Staff: Jack Brummel (786-7428)

Background: Fire fighters are exposed to extreme heat and cold, smoke, fumes, infectious diseases, and toxic or chemical substances at a much higher rate than the general population. Many states have statutes which create a presumption that certain illnesses suffered by fire fighters are occupational diseases for industrial insurance purposes. In 1987, the Legislature created a rebuttable presumption that respiratory diseases in fire fighters are occupationally related.

Summary of Substitute Bill: A rebuttable presumption is established that a fire fighter's heart problem is an occupational disease if it is experienced within 72 hours of exposure to smoke, fumes, and toxic or chemical substances. Cancers of the skin, breasts, central nervous system, or lymphatic, digestive, hematological, urinary, skeletal, oral, or reproductive systems are presumed to be occupational diseases if the claimant has served as a fire fighter for ten or more years and showed no evidence of cancer upon becoming a fire fighter. AIDS, hepatitis, meningitis, and tuberculosis are also presumed to be occupational diseases.

Substitute Bill Compared to Original Bill: The substitute bill limits the types of infectious diseases for which a presumption of occupational disease is established.

Appropriation: None.

Fiscal Note: Requested on January 22, 2002.

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

Testimony For: The bill extends existing respiratory disease presumptions to heart problems, cancers, and infectious diseases. The presumptions are rebuttable. It would cover public and private firefighters.

Testimony Against: The bill is too broad. Infectious diseases could be anything; they are an emotional issue. There is some data correlating firefighting and brain, rectal, and some other cancers but not all cancers, and there is a correlation with hepatitis but not all infectious diseases. This would cost fire departments a lot of money.

Testified: PRO: Kelly Fox, Washington State Council of Firefighters; CON: Roger Ferris, Washington Fire Commissioners Association; Jim Justin, Association of Washington Cities. Also testified: Gary Franklin, DLI.