

SB 5741 - DIGEST

Finds and declares: (1) By reason of their employment, firefighters are required to work in the midst of, and are subject to, smoke, fumes, infectious diseases, and toxic substances;

(2) Firefighters are continually exposed to a vast and expanding field of hazardous substances;

(3) Firefighters enter uncontrolled environments to save lives, provide emergency medical services, and reduce property damage and are frequently not aware or informed of the potential toxic and carcinogenic substances, and infectious diseases that they may be exposed to;

(4) Firefighters are often exposed simultaneously to multiple carcinogens;

(5) Firefighters so exposed can potentially and unwittingly expose coworkers, families, and members of the public to infectious diseases;

(6) Harmful effects caused by firefighters' exposure to hazardous substances, whether cancer, infectious disease, a heart injury, or respiratory disease, develop very slowly, usually manifesting themselves years after exposure;

(7) Cardiovascular disease is exacerbated by firefighting duties and firefighting increases the incidence of cardiovascular disease and heart injuries in firefighters;

(8) Firefighters frequently and at unpredictable intervals perform job duties under strenuous physical conditions when engaged in firefighting activities and routinely are unable to meet normal definitions of "unusual exertion" standards; and

(9) Firefighters who experience heart injuries during firefighting activities shall be assumed to meet current "unusual exertion" standards during strenuous physical exertion.

Provides that, in any case where the presumption is upheld, or the employee prevails on the basis of a presumption, whether at the board of industrial insurance appeals or in any court, the employee must be awarded full benefits, attorney fees, expert witness costs, and all other costs from the date of the employee's initial application for benefits.