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**Labor & Workforce Development  
Committee**

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**HB 2576**

**Brief Description:** Establishing a mandatory occupational disease exposure reporting requirement for firefighters.

**Sponsors:** Representatives Reykdal, Kirby and Pollet.

**Brief Summary of Bill**

- Requires the Department of Labor and Industries to start rule-making, beginning July 1, 2014, for the mandatory reporting of all hazardous exposures suffered by firefighters.

**Hearing Date:** 1/31/14

**Staff:** Trudes Tango (786-7384).

**Background:**

Under the state's Industrial Insurance Act (Act), a worker who, in the course of employment, is injured or suffers disability from an occupational disease is entitled to certain benefits. To prove an occupational disease, the worker must show that the disease arose "naturally and proximately" out of employment.

For firefighters who are members of the Law Enforcement Officers' and Fire Fighters' Retirement System (LEOFF) and certain private sector firefighters, there is a prima facie presumption that certain medical conditions are occupational diseases. Those conditions are: respiratory disease; certain heart problems; specified cancers; and infectious diseases. With respect to heart problems, the problems must be experienced within 72 hours of exposure to smoke, fumes, or toxic substances; or experienced within 24 hours of strenuous physical exertion due to firefighting activities.

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The presumption of occupational disease may be rebutted by a preponderance of evidence, including, but not limited to: use of tobacco products; physical fitness and weight; lifestyle; hereditary factors; and exposure from other employment or non-employment activities. In addition, the presumption does not apply to a firefighter who develops a heart or lung condition and who is a regular user of tobacco products or who has a history of tobacco use.

The presumption will be extended to a firefighter following termination of service for a period of three calendar months for each year of service, but may not extend more than 60 months following the last date of employment.

**Summary of Bill:**

Beginning July 1, 2014, the Department of Labor and Industries must begin rule-making to require the reporting of all hazardous exposures suffered in the course of employment by firefighters. At a minimum, the rules must require that records of exposures be maintained for at least 61 months following the last date of the firefighter's employment.

**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date:** The bill takes effect 90 days after adjournment of the session in which the bill is passed.