
Labor Committee

HB 1603

Brief Description: Allowing for certain prima facie presumptions for occupational diseases affecting public employee fire investigators.

Sponsors: Representatives Moeller, Van De Wege, Griffey, Riccelli, Fitzgibbon, Pollet and Goodman.

Brief Summary of Bill

- Amends the occupational disease presumption statute to include public employee fire investigators.

Hearing Date: 2/5/15

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 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.

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;

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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.

In general, firefighters who are members of LEOFF are those persons actively employed and serving on a full-time, fully compensated basis as a member of a fire department.

Summary of Bill:

The occupational disease presumption statute is amended to include public employee fire investigators.

Appropriation: None.

Fiscal Note: Requested on January 28, 2015.

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