

FINAL BILL REPORT

SHB 1604

C 139 L 15
Synopsis as Enacted

Brief Description: Creating a work group on occupational disease exposure for firefighters.

Sponsors: House Committee on Labor (originally sponsored by Representatives Reykdal, Hayes, Sawyer, Van De Wege, Holy, Griffey, Riccelli, Fitzgibbon, Ormsby and Pollet).

House Committee on Labor
Senate Committee on Commerce & Labor

Background:

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 medical conditions are: respiratory disease, certain heart problems, specified cancers, and certain 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: 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.

Summary:

Beginning August 1, 2015, the Department of Labor and Industries (Department) must convene a work group to discuss creating definitions, policies, and procedures for mandatory reporting of hazardous exposures suffered by firefighters in the course of employment.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

The work group must include representatives of firefighters unions, fire departments, fire chiefs, self-insured employers, and state fund public employers.

The Department must report recommendations for legislation or rule-making to the appropriate committees of the Legislature by January 1, 2016.

Votes on Final Passage:

House	96	1
Senate	46	0

Effective: July 24, 2015