

**WAC 296-14-325 When does the presumption apply to firefighters, emergency medical technicians (EMTs), fire investigators and law enforcement officers who are former smokers with heart or lung conditions?**

(1) **Heart problems:** The presumption for heart problems applies if a firefighter or EMT as defined in RCW 41.26.030 (17)(a), (b), (c), and (h) or fire investigator is a former smoker and last smoked two years or more prior to the cardiac event. The presumption for heart problems also applies if a law enforcement officer as defined in RCW 41.26.030 (19)(b), (c), and (e) is a former smoker and last smoked two years or more prior to the cardiac event.

(2) **Lung conditions:** The presumption for lung conditions in firefighters, EMTs, and fire investigators will apply:

(a) For **asthma** if they are a former smoker and last smoked five years or more prior to the date of manifestation of the disease; or

(b) For **chronic obstructive pulmonary disease/emphysema/chronic bronchitis** if they are a former smoker who last smoked 15 years or more prior to the date of manifestation of the disease; or

(c) For **lung cancer** if they are a former smoker who last smoked 15 years or more prior to the date of manifestation of the disease.

[Statutory Authority: RCW 51.04.020, 51.04.030, and 51.32.185. WSR 22-20-087, § 296-14-325, filed 10/4/22, effective 11/4/22. Statutory Authority: RCW 51.04.020, 51.32.185. WSR 03-12-046, § 296-14-325, filed 5/30/03, effective 7/1/03.]