

**SENATE BILL 5044**

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**State of Washington**

**52nd Legislature**

**1991 Regular Session**

**By** Senators West, Gaspard, Roach, Vognild, Erwin, Snyder, Talmadge, Stratton and Johnson.

Read first time January 17, 1991. Referred to Committee on Health & Long-Term Care.

1 AN ACT Relating to industrial insurance; and adding new sections to  
2 chapter 51.32 RCW.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 NEW SECTION. **Sec. 1.** The legislature finds and declares that  
5 fire fighters and law enforcement officers are often subject to extreme  
6 stress during the course of their employment. Many fire fighters and  
7 law enforcement officers must place themselves in life-threatening  
8 positions for the protection of the general public. The legislature  
9 therefore finds and declares that heart disease and cancer should be  
10 presumed to be occupational diseases for fire fighters and law  
11 enforcement officers.

12 NEW SECTION. **Sec. 2.** In the case of fire fighters as defined  
13 in RCW 41.26.030(4) (a), (b), and (c) who are covered under chapter 51

1 RCW, there shall exist a prima facie presumption that heart disease and  
2 cancer are occupational diseases under RCW 51.08.140. This presumption  
3 of occupational diseases is rebuttable and evidence of smoking tobacco  
4 products shall be given special consideration in favor of rebutting the  
5 presumption.

6 This presumption shall be extended to a member following  
7 termination of service for a period of three calendar months for each  
8 year of requisite service, but may not extend more than sixty months  
9 following the last date of employment.

10 For purposes of this section, heart disease includes but is not  
11 limited to myocarditis, coronary sclerosis, and hypertension.

12 NEW SECTION. **Sec. 3.** In the case of law enforcement officers  
13 as defined in RCW 41.26.030(3) who are covered under chapter 51 RCW,  
14 there shall exist a prima facie presumption that heart disease and  
15 cancer are occupational diseases under RCW 51.08.140. This presumption  
16 of occupational disease is rebuttable and evidence of smoking tobacco  
17 products shall be given special consideration in favor of rebutting the  
18 presumption.

19 This presumption shall be extended to a member following  
20 termination of service for a period of three calendar months for each  
21 year of requisite service, but may not extend more than sixty months  
22 following the last date of employment.

23 For purposes of this section, heart disease includes but is not  
24 limited to myocarditis, coronary sclerosis, and hypertension.

25 NEW SECTION. **Sec. 4.** Sections 1 through 3 of this act are  
26 each added to chapter 51.32 RCW.