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**SUBSTITUTE HOUSE BILL 2805**

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**State of Washington**

**64th Legislature**

**2016 Regular Session**

**By** House Labor & Workplace Standards (originally sponsored by Representatives Reykdal, Griffey, Moeller, Van De Wege, Gregerson, Ormsby, Sawyer, Stokesbary, Tarleton, Fitzgibbon, Morris, Stanford, Pollet, Frame, Goodman, and Bergquist)

READ FIRST TIME 02/05/16.

1 AN ACT Relating to mandatory reporting of hazardous exposures for  
2 firefighters; adding a new section to chapter 49.17 RCW; adding a new  
3 section to chapter 42.56 RCW; and creating a new section.

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

5 NEW SECTION. **Sec. 1.** The legislature finds that firefighters  
6 are regularly exposed to hazardous substances through the course of  
7 their employment. These exposures result in firefighters contracting  
8 diseases such as cancer at significantly higher rates than the  
9 general population which, in addition to the human suffering  
10 involved, creates enormous costs to workers' compensation and health  
11 care insurance programs. Despite increased risk and costs, there is  
12 no reliable reporting requirement in place to consistently track and  
13 account for these hazardous exposures, and therefore no way to  
14 determine whether these exposures are fully or partially preventable.  
15 A mandatory reporting requirement would facilitate identification of  
16 common exposures and assist in creating training curricula, policies,  
17 and procedures designed to minimize, mitigate, or eliminate these  
18 hazardous exposures altogether. The legislature further finds that  
19 exposures reported by firefighters are medical records which should  
20 not be subject to public disclosure. Therefore, the legislature  
21 intends to establish a mandatory, on-the-job hazardous exposure

1 reporting requirement for firefighters and further intends to enact  
2 protections to prevent public disclosure of personally identifiable  
3 information collected under section 2 of this act.

4 NEW SECTION. **Sec. 2.** A new section is added to chapter 49.17  
5 RCW to read as follows:

6 (1) Beginning July 1, 2016, the department shall begin rule  
7 making to require the reporting of all hazardous exposures suffered  
8 in the course of employment by firefighters covered under RCW  
9 51.32.185. At a minimum, the rules must:

10 (a) Require reports of exposures to be maintained for at least  
11 six years following the last date of the firefighter's employment as  
12 a firefighter;

13 (b) Require reports of exposures to be maintained in a database  
14 that is readily accessible to firefighters; and

15 (c) Address the nondisclosure of reports to protect the privacy  
16 of firefighters' personal information.

17 (2) Employers are responsible for costs associated with the  
18 incident report database and may purchase database services. The  
19 department is not responsible for creating or maintaining the  
20 reporting database.

21 (3) This section does not apply to volunteer firefighters.

22 NEW SECTION. **Sec. 3.** A new section is added to chapter 42.56  
23 RCW to read as follows:

24 Reports of hazardous exposures reported by firefighters under  
25 section 2 of this act are exempt from disclosure under this chapter  
26 and must be automatically withheld from public inspection and  
27 copying.

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