

**WAC 296-14-310 When does a presumption of occupational disease for firefighters apply?** RCW 51.32.185 specifies a presumption that certain medical conditions are occupational diseases for firefighters. Those conditions are heart problems experienced within seventy-two hours of exposure to smoke, fumes, or toxic substances; respiratory disease; specific cancers as defined by RCW 51.32.185; and infectious diseases as defined by RCW 51.32.185.

For claims filed on or after July 1, 2003, the presumption may not apply to heart or lung conditions if a firefighter is a user of tobacco products.

When the presumption does not apply, the claim is not automatically denied. However, the burden is on the worker to prove that the condition is an occupational disease.

[Statutory Authority: RCW 51.04.020, 51.32.185. WSR 03-12-046, § 296-14-310, filed 5/30/03, effective 7/1/03.]