

## State Presumptive Disability Laws

STATE	HEART DISEASE	LUNG DISEASE	CANCER	INFECTIOUS DISEASES	BEHAVIORAL HEALTH	OTHER	TOBACCO PROVISION	CODE PART
1. Alabama	X	X	X	X				GP
2. Alaska	X	X	X			COVID-19*	X	WC
3. Arizona	X		X		X		X	WC
4. Arkansas			X*			COVID-19*		RS & GP
5. California	X		X	X	X	Hernia/COVID-19* Lower Back Issues		WC & RS
6. Colorado	X		X	X	X		X	WC & GP
7. Connecticut	X		X*	X	X	COVID-19*	X	WC & GP
8. Delaware			X*					GP
9. District of Columbia	X	X	X	X*				GP
10. Florida	X		X	X	X	COVID-19*	X	GP
11. Georgia	X	X	X*					GP
12. Hawaii	X	X	X					RS
13. Idaho	X	X	X	X	X		X	WC
14. Illinois	X	X	X	X	X	COVID-19* Hernia/Hearing		RS/WC
15. Indiana	X	X	X		X	Parkinson's/COVID-19*	X	GP
16. Iowa	X	X	X	X				RS
17. Kansas	X	X	X					RS
18. Kentucky	X	X	X*		X*	COVID-19*	X	GP/RS
19. Louisiana	X	X	X	X	X	Hearing		GP/WC
20. Maine	X	X	X	X	X			WC
21. Maryland	X	X	X			Hernia/Hearing		WC
22. Massachusetts	X	X	X					RS
23. Michigan	X	X	X*			COVID-19*	X	WC
24. Minnesota	X		X	X	X	COVID* & Pandemics		WC
25. Mississippi			X*					WC
26. Missouri	X	X	X*	X	X	COVID-19*	X	RS
27. Montana	X*		X				X	WC
28. Nebraska	X	X	X*	X	X			GP
29. Nevada	X	X	X	X	X		X	GP
30. New Hampshire	X	X	X		X	COVID-19*	X	WC
31. New Jersey	X	X	X	X		COVID-19*		WC
32. New Mexico	X		X	X	X			WC
33. New York	X*	X*	X	X	X*	Parkinson's/COVID-19*		RS
34. North Carolina			X*					GP
35. North Dakota	X	X	X	X		COVID-19*	X	GP
36. Ohio	X	X	X				X	WC
37. Oklahoma	X	X	X	X				RS
38. Oregon	X	X	X		X		X	WC
39. Pennsylvania	X	X	X	X				WC
40. Rhode Island	X	X	X	X				GP
41. South Carolina	X	X	X*		X*			WC
42. South Dakota	X	X	X					RS
43. Tennessee	X	X	X	X	X*	Pandemics		GP
44. Texas	X	X	X	X	X		X	GP & WC
45. Utah	X	X	X	X	X*	COVID-19*	X	RS & WC
46. Vermont	X	X	X	X	X	COVID-19*	X	WC
47. Virginia	X	X	X	X	X	COVID-19*		WC
48. Washington	X	X	X	X	X	COVID-19*	X	GP

STATE	HEART DISEASE	LUNG DISEASE	CANCER	INFECTIOUS DISEASE	BEHAVIORAL HEALTH	OTHER	TOBACCO PROVISION	CODE PART
49. West Virginia	X		X				X	WC
50. Wisconsin	X	X	X	X		COVID-19*	X	GP
51. Wyoming	X	X	X	X	X	COVID-19*	X	WC

**CODES: GP – General Provision/ Other Section RS – Retirement/Pension System WC – Workers’ Compensation**

- \*AR only provides compensation for cancer death benefits
- \*CT does not have presumptive workers' compensation for cancer but has a supplemental coverage program
- \*DE does not have presumptive workers' compensation for cancer but has a supplemental coverage program
- \*DC has an immunization clause that could allow the district to deny workers’ compensation benefits
- \*GA does not have presumptive workers' compensation for cancer but has a supplemental coverage program
- \*KY only provides compensation for cancer death benefits, KY also has funds to reimburse fire fighters that get mental health services from licensed therapists
- \*MI has presumptive workers' compensation for cancer AND a supplemental coverage program
- \*MO has presumptive workers' compensation for cancer AND a supplemental coverage program
- \*MS does not have presumptive workers' compensation for cancer but has a supplemental coverage program
- \*MT has eligibility for myocardial infarction after 10 years and asbestosis after 10 years
- \*NE has presumptive workers' compensation for cancer AND a supplemental coverage program
- \*NC does not have presumptive workers' compensation but does have supplemental coverage for occupational cancers- Mesothelioma, Testicular, Intestinal, Esophageal
- \*NY heart & lung disease presumptions only apply to fire fighters in New York City
- \*NY has an eligibility for benefits for a mental incapacitation
- \*SC does not have presumptive workers' compensation for cancer but has a supplemental coverage program, SC also has a reimbursement fund program for mental health
- \*TN has a grant program to help offset costs for fire fighters diagnosed with PTSD
- \*UT has a grant program to help first responder retirees to study to become mental health therapists

\*COVID-19:

States that offer COVID-19 presumptive protection laws were not necessarily passed through Congress but also through emergency or Executive Orders.

INFECTIOUS DISEASES COVERED:

- AL- *AIDS, Hepatitis*
- CA- *“...develops a blood-borne infectious disease or Methicillin-resistant Staphylococcus Aureus skin infection...Pneumonia...Tuberculosis, Lyme disease, Meningitis”*
- CO- *Hepatitis C*
- CT- *Hepatitis, Meningococcal Meningitis, Tuberculosis*
- DC – *Hepatitis, Meningococcal Meningitis, Tuberculosis, HIV*
- FL-*“...Hepatitis, Meningococcal Meningitis, or Tuberculosis...”*
- ID- *AIDS, AIDS-related complexes (ARC), other manifestations of HIV infections, infectious hepatitis viruses and tuberculosis...*
- IL- *Tuberculosis, MRSA*
- IA- *HIV or AIDS, hepatitis, meningococcal meningitis, and mycobacterium tuberculosis*
- LA- *Hepatitis B or Hepatitis C*
- ME- *...hepatitis, meningococcal meningitis, and mycobacterium tuberculosis*
- MN- *“...an infectious or communicable disease to which the employee was exposed in the course of employment outside of a hospital...Pneumonia” 2020 addition: “COVID-19 and any other contagious disease classified as a pandemic by the WHO or CDC”*
- MO- *HIV, AIDS, Tuberculosis, Hepatitis A, B, C, and D, Diphtheria, Meningococcal Meningitis, Methicillin-resistant staphylococcus aureus, hemorrhagic fever, plague, rabies, and severe acute respiratory syndrome*
- NE- *“...a blood-borne infectious disease, tuberculosis, meningococcal meningitis, or methicillin-resistant Staphylococcus aureus...”*
- NV- *Hepatitis A, B, and C, tuberculosis, HIV or AIDS*

NJ- *"serious communicable diseases, includes but not limited to meningitis, tuberculosis, viral hepatitis, HIV infections, AIDS, cholera, hemorrhagic fever, plague, smallpox, or other diseases identified as a serious communicable disease by the Department of Health, and also includes diseases caused by antibiotic-resistant organisms."*

NM- *"hepatitis, tuberculosis, diphtheria, meningococcal disease, and methicillin-resistant staphylococcus aureus"*

NY- *HIV, tuberculosis, or hepatitis*

ND- *"...an exposure to a bloodborne pathogen..."*

OK- *Hepatitis, HIV, Meningitis, and Tuberculosis*

PA- *Hepatitis C*

RI- *"...infectious disease develops or manifests itself as a result of the exposure...infectious disease means interruption, cessation, or disorder of body functions, systems, or organs transmissible by association with the sick or their secretions or excretions, excluding the common cold. Infectious disease includes, but not limited to, HIV, Hepatitis B and C."*

TN- *"disability in acquiring HIV and Hepatitis C virus, and a virus or other communicable disease for which a pandemic has been declared by the World Health Organization of the federal centers for disease control and prevention; and the governor has declared a state of emergency"*

TX- *Tuberculosis*

UT- *"...contracted a disease...as a result of a significant exposure in the performance of his duties..."*

VT- *...infectious disease...infectious agents or blood-borne pathogens...*

VA- *Hepatitis, Meningococcal Meningitis, Tuberculosis or HIV*

WA- *HIV/AIDS, all strains of Hepatitis, Meningococcal Meningitis, or Mycobacterium Tuberculosis*

WI- *HIV, AIDS, Tuberculosis, Hepatitis A, B, C, and D, Diphtheria, Meningococcal Meningitis, MRSA, and SARS*

WY- *"communicable diseases...COVID-19"*

#### CANCERS COVERED:

AL- *"Cancer which manifests itself... during the period in which the fire fighter is in the service of the city, provided the fire fighter demonstrates that he or she was exposed... to a known carcinogen which is reasonably linked to the disabling cancer, and shall be presumed to arise out of and in the course of the fire fighter's employment."*

AK- *"primary brain cancer; malignant melanoma; leukemia; non-Hodgkin's lymphoma; bladder cancer; ureter cancer; kidney cancer; and prostate cancer , breast cancer added in 2022"*

AZ- *"...brain, bladder, rectal or colon cancer, lymphoma, leukemia or adenocarcinoma or mesothelioma...buccal cavity and pharynx, esophagus, large intestine, lung, kidney, prostate, skin, stomach or testicular cancer or non-Hodgkin's lymphoma, multiple myeloma or malignant melanoma..."*

AR- *"leukemia, lymphoma, mesothelioma, and multiple myeloma and cancer of the brain, digestive tract, urinary tract, liver, skin, breast, cervical, thyroid, prostate, testicle, or a cancer that has been found by research and statistics to show higher instances of occurrence in fire fighters"*

CA- *"cancer, including leukemia...to a known carcinogen as defined by the International Agency for Research on Cancer, or as defined by the director...skin cancer"*

CO- *"... cancer of the brain, skin, digestive system, hematological system, or genitourinary system..."*

CT- *"Kahler's Disease, non-Hodgkin's lymphoma, and prostate or testicular cancer; any condition of cancer affecting the brain, skin, skeletal system, digestive system, endocrine system, respiratory system, lymphatic system, reproductive system, urinary system, or hematological system..."*

DE- *"bladder, blood, brain, breast, cervical, esophageal, intestinal, kidney, lymphatic, lung, prostate, rectal, respiratory tract, skin, testicular, and thyroid cancer; leukemia, multiple myeloma; or non-Hodgkin's lymphoma"*

DC- *"after 10 years of service...leukemia, breast, ovarian, pancreatic, prostate, rectal, colon, colorectal, liver, testicular, respiratory, multiple myeloma, brain, non-Hodgkins, throat, kidney, thyroid, or bladder cancer"*

FL- *"bladder cancer; brain cancer; breast cancer; cervical cancer; colon cancer; esophageal cancer; invasive skin cancer; kidney cancer; large intestinal cancer; lung cancer; malignant melanoma; mesothelioma; multiple myeloma; non-Hodgkin's lymphoma; oral cavity and pharynx cancer; ovarian cancer; prostate cancer; rectal cancer; stomach cancer; testicular cancer; thyroid cancer"*

GA- *"bladder, blood, brain, breast, cervical, esophageal, intestinal, kidney, lymphatic, lung, prostate, rectum, respiratory tract, skin, testicular, and thyroid cancer: leukemia; multiple myeloma; or non-Hodgkin's lymphoma"*

HI- *"leukemia, multiple myeloma, non-Hodgkin's lymphoma, or cancer of the lung, brain, stomach, esophagus, intestines, rectum, kidney, bladder, prostate, or testes..."*

ID- *"brain cancer after 10 years; bladder cancer after 12 years; kidney cancer after 15 years; colorectal cancer after 10 years; non-Hodgkin's lymphoma after 15 years; leukemia after 5 years; mesothelioma after 10 years; testicular cancer after 5 years; breast cancer after 5 years; esophageal cancer after 10 years; multiple myeloma after 15 years"*

IL- *"... disabling cancer, which develops or manifests itself during a period while the fire fighter is in the service of the fire department... the type of cancer involved must be a type which may be caused by exposure to heat, radiation or a known carcinogen as defined by the International Agency for Research on Cancer..."*

IN- *"...cancer that is caused by a known carcinogen to which an individual is at risk for occupational exposure... carcinogen is recognized by the International Agency for Research on Cancer; or the National Institute for Occupational Safety and Health..."*

IA- *"prostate cancer, primary brain cancer, breast cancer, ovarian cancer, cervical cancer, uterine cancer, malignant melanoma, leukemia, non-Hodgkin's lymphoma, bladder cancer, colorectal cancer, multiple myeloma, testicular cancer, and kidney cancer"*

KS- *"...type of cancer which may, in general, result from exposure to heat, radiation or a known carcinogen..."*

KY- *"Bladder, Brain, Colon, Non-Hodgkin's lymphoma, Kidney, Liver, Lymphatic or hematopoietic, Prostate, Testicular, Skin, Cervical, Breast"*

LA- *"... limited to the types of cancer which may be caused by exposure to heat, smoke, radiation, or a known suspected carcinogen as defined by the International Agency for Research on Cancer...limited to cancer originated in the bladder, brain, colon, liver, pancreas, skin, kidney, or gastrointestinal or reproductive tract, and leukemia, lymphoma, multiple myeloma, prostate, and testicular cancer, or any other type of cancer for which fire fighters are determined to have statistically significant increased risk over that of the general population..."*

ME- *"cancer affecting the skin or the central nervous, lymphatic, digestive, hematological, urinary, skeletal, oral, breast, testicular, genitourinary, liver, or prostate systems or that may result from exposure to heat, radiation, to a known or suspected carcinogen"*

MD- *"leukemia or prostate, rectal, throat, multiple myeloma, non-Hodgkin's lymphoma, brain, testicular, or breast cancer that is caused by contact with a toxic substance that the individual has encountered in the line of duty"*

MA- *"any condition of cancer affecting the skin or the central nervous, lymphatic, digestive, hematological, urinary, skeletal, oral, or prostate systems, lung or respiratory tract..."*

MI- *"...any respiratory tract, bladder, skin, brain, kidney, blood, thyroid, testicular, prostate, or lymphatic cancer"*

MN- *"... disabling cancer of a type caused by exposure to heat, radiation, or a known or suspected carcinogen, as defined by the International Agency for Research on Cancer..."*

MS- *"...limited to cancer affecting the bladder, brain, colon, liver, pancreas, skin, kidney, gastrointestinal tract, reproductive tract, leukemia, lymphoma, multiple myeloma, prostate, testicles and breast"*

MO- *"...cancer affecting the skin or the central nervous, lymphatic, digestive, hematological, urinary, skeletal, oral, breast, testicular, genitourinary, liver or prostate systems, as well as any condition of cancer which may result from exposure to heat or radiation or to a known or suspected carcinogen as determined by the International Agency for Research on Cancer"*

MT- *"bladder cancer after 12 years; brain cancer of any type after 10 years; breast cancer after 5 years if diagnosed under the age of 40 and without genetic predispositions; cervical cancer after 15 years; colorectal cancer after 10 years; esophageal cancer after 10 years; kidney cancer after 15 years; leukemia after 5 years; lung cancer after 4 years; mesothelioma after 10 years; multiple myeloma after 15 years; non-Hodgkin's lymphoma after 15 years; and testicular cancer after 10 years"*

NE- *"cancer, including, but not limited to cancer affecting the skin or the central nervous, lymphatic, digestive, hematological, urinary, skeletal, oral, or prostate systems..."*

NV- *"...bladder cancer...brain cancer...breast cancer...colon cancer...esophageal cancer...Hodgkin's lymphoma...kidney cancer...leukemia...liver cancer...lung cancer...lymphatic or haematopoietic cancer...basal cell carcinoma...squamous cell carcinoma...malignant melanoma...multiple myeloma...nasopharyngeal cancer, including laryngeal cancer and pharyngeal cancer...non-Hodgkin's lymphoma...ovarian cancer...pancreatic cancer...prostate cancer...rectal cancer...soft tissue sarcoma... stomach cancer...testicular cancer...thyroid cancer...ureteral cancer...uterine cancer..."*

NH- *"...type of cancer involved must be a type which may be caused by exposure to heat, radiation, or a known carcinogen, as defined by the International Agency for Research on Cancer"*

NJ- *"... the type of cancer involved shall be a type which may be caused by exposure to heat, radiation, or a known or suspected carcinogen as defined by the International Agency for Research on Cancer..."*

NM- "...brain cancer after 10 years; bladder cancer after 12 years; kidney cancer after 15 years; colorectal cancer after 10 years; non-Hodgkin's lymphoma after 15 years; leukemia after 5 years; ureter cancer after 12 years; testicular cancer after 5 years; breast cancer after 5 years; esophageal cancer after 10 years; multiple myeloma after 15 years..."

NY- "...melanoma or condition of cancer affecting the lymphatic, digestive, hematological, urinary, neurological, breast, reproductive or prostate systems..."

NC- "Mesothelioma, Testicular, Intestinal, Esophageal"

ND- "...an occupational cancer is one which arises out of employment as a full time paid fire fighter and is due to injury due to exposure to smoke, fumes, or carcinogenic, poisonous, toxic, or chemical substances while in the performance of active duty as a full time paid fire fighter..."

OH- "...cancer that was contracted in the course of and arising out of the fire fighter's employment in the fire fighter was exposed to an agent classified by the international agency for research on cancer or its successor organization as a group 1 or 2A carcinogen"

OK- "...existence of any cancer..."

OR- "brain cancer, colon cancer, stomach cancer, testicular cancer, prostate cancer, multiple myeloma, non-Hodgkin's lymphoma, cancer of the throat or mouth, rectal cancer, breast cancer or leukemia"

PA- "...cancer suffered by a fire fighter which is caused by exposure to a known carcinogen which is recognized as a Group 1 carcinogen by the International Agency for Research on Cancer"

RI- "...disabling occupational cancer which develops or manifests itself during a period while the fire fighter is in the service of the department..."

SC- "Cancer includes malignant neoplasms of the following body areas and organs systems: central and peripheral nervous system; oropharyngeal; respiratory tract; gastrointestinal tract; hepatobiliary; solid organ and endocrine; genitourinary and male reproductive; GYN; skin, soft tissue, and breast; and bone and bold"

SD- "...impairment caused by cancer..."

TN- "... all forms of non-Hodgkin's lymphoma cancer, colon cancer, skin cancer, or multiple myeloma cancer resulting in hospitalization, medical treatment, or any disability... cancer resulting in hospitalization"

TX- "cancer that originates at the stomach, colon, rectum, skin, prostate, testis, or brain; non-Hodgkin's lymphoma; multiple myeloma; malignant melanoma; and renal cell carcinoma"

UT- "...presumptive cancer means one or more of the following cancers: pharynx; esophagus; lung; and mesothelioma..."

VT- "...disabling cancer shall be limited to leukemia, lymphoma, or multiple myeloma, and cancers originating in the bladder, brain, colon, gastrointestinal tract, kidney, liver, pancreas, skin, or testicles"

VA- "leukemia or pancreatic, prostate, rectal, throat, ovarian or breast cancer...melanoma, non-Hodgkin's lymphoma, bladder cancer and thyroid cancer"

WA- "...cancer diagnosed prior to the age of fifty, primary brain cancer, malignant melanoma, leukemia, non-Hodgkin's lymphoma, bladder cancer, ureter cancer, colorectal cancer, multiple myeloma, testicular cancer and kidney cancer"

WV- "...leukemia, lymphoma, or multiple myeloma..."

WI- "...cancers affecting the skin, breasts, central nervous system or lymphatic, digestive, hematological, urinary, skeletal, oral, or reproductive systems..."

WY- "cancer, lymphoma or leukemia that may be caused by exposure to heat, smoke, radiation or a known or suspected carcinogen as determined by the International Agency for Research on Cancer"