

**8-41-209. Coverage for occupational diseases contracted by firefighters - repeal.** (1) Death, disability, or impairment of health of a firefighter of any physical subdivision who has completed five or more years of employment as a firefighter, caused by cancer of the brain, skin, digestive system, hematological system, or genitourinary system and resulting from his or her employment as a firefighter, shall be considered an occupational disease.

(2) Any condition or impairment of health described in subsection (1) of this section:

(a) Shall be presumed to result from a firefighter's employment if, at the time of becoming a firefighter or thereafter, the firefighter underwent a physical examination that failed to reveal the substantial evidence of such condition or impairment of health that preexisted his or her employment as a firefighter.

(b) Shall not be deemed to result from the firefighter's employment if the firefighter's employer or insurer shows by a preponderance of the medical evidence that such condition or impairment did not occur on the job.

(3) (a) On or before March 1, 2009, the division, within existing resources and in conjunction with insurance carriers providing workers' compensation insurance in Colorado and with employers, if self-insured, shall prepare and deliver a report to the business affairs and labor committee of the house of representatives and the business, labor, and technology committee of the senate, or any successor committees, regarding the number of claims allowed pursuant to this section and the costs associated with those claims.

(b) This subsection (3) is repealed, effective March 1, 2009.