

2.1 (b) If immediately preceding the date of disablement or death, an employee was
2.2 employed on active duty with an organized fire or police department of any municipality,
2.3 as a member of the Minnesota State Patrol, conservation officer service, state crime bureau,
2.4 as a forest officer by the Department of Natural Resources, state correctional officer, or
2.5 sheriff or full-time deputy sheriff of any county, and the disease is that of myocarditis,
2.6 coronary sclerosis, pneumonia or its sequel, and at the time of employment such employee
2.7 was given a thorough physical examination by a licensed doctor of medicine, and a written
2.8 report thereof has been made and filed with such organized fire or police department, with
2.9 the Minnesota State Patrol, conservation officer service, state crime bureau, Department
2.10 of Natural Resources, Department of Corrections, or sheriff's department of any county,
2.11 which examination and report negated any evidence of myocarditis, coronary sclerosis,
2.12 pneumonia or its sequel, the disease is presumptively an occupational disease and shall
2.13 be presumed to have been due to the nature of employment. If immediately preceding
2.14 the date of disablement or death, any individual who by nature of their position provides
2.15 emergency medical care, or an employee who was employed as a licensed police officer
2.16 under section 626.84, subdivision 1; firefighter; paramedic; state correctional officer;
2.17 emergency medical technician; or licensed nurse providing emergency medical care; and
2.18 who contracts an infectious or communicable disease to which the employee was exposed
2.19 in the course of employment outside of a hospital, then the disease is presumptively an
2.20 occupational disease and shall be presumed to have been due to the nature of employment
2.21 and the presumption may be rebutted by substantial factors brought by the employer
2.22 or insurer. Any substantial factors which shall be used to rebut this presumption and
2.23 which are known to the employer or insurer at the time of the denial of liability shall be
2.24 communicated to the employee on the denial of liability.

2.25 (c) A firefighter on active duty with an organized fire department who is unable
2.26 to perform duties in the department by reason of a disabling cancer of a type caused
2.27 by exposure to heat, radiation, or a known or suspected carcinogen, as defined by the
2.28 International Agency for Research on Cancer, and the carcinogen is reasonably linked to
2.29 the disabling cancer, is presumed to have an occupational disease under paragraph (a). If a
2.30 firefighter who enters the service after August 1, 1988, is examined by a physician prior to
2.31 being hired and the examination discloses the existence of a cancer of a type described
2.32 in this paragraph, the firefighter is not entitled to the presumption unless a subsequent
2.33 medical determination is made that the firefighter no longer has the cancer.

2.34 (d) For the purposes of this chapter, "mental impairment" means a diagnosis of
2.35 post-traumatic stress disorder by a licensed psychiatrist or psychologist. For the purposes
2.36 of this chapter, "post-traumatic stress disorder" means the condition as described in

3.1 the most recently published edition of the Diagnostic and Statistical Manual of Mental
3.2 Disorders by the American Psychiatric Association. For purposes of section 79.34,
3.3 subdivision 2, one or more compensable mental impairment claims arising out of a single
3.4 event or occurrence shall constitute a single loss occurrence.

3.5 (e) If, preceding the date of disablement or death, an employee who was employed
3.6 (1) as a licensed police officer under section 626.84, subdivision 1; firefighter; paramedic;
3.7 emergency medical technician; or licensed nurse providing emergency medical care; or (2)
3.8 on active duty as a forest officer by the Department of Natural Resources, state correctional
3.9 officer, sheriff or full-time deputy sheriff of any county; or a member of the Minnesota
3.10 State Patrol, conservation officer service, state crime bureau, is diagnosed with a mental
3.11 impairment as defined in paragraph (d), and had not been diagnosed with the mental
3.12 impairment previously, then the mental impairment is presumptively an occupational
3.13 disease and shall be presumed to have been due to the nature of employment. The mental
3.14 impairment is not considered an occupational disease if it results from a disciplinary
3.15 action, work evaluation, job transfer, layoff, demotion, promotion, termination, retirement,
3.16 or similar action taken in good faith by the employer.