Section 607.052
APPLICABILITY
a. Notwithstanding any other law, this subchapter applies only to a fire fighter or emergency medical technician who:
   1. on becoming employed or during employment as a fire fighter or emergency medical technician, received a physical examination that failed to reveal evidence of the illness or disease for which benefits or compensation are sought using a presumption established by this subchapter;
   2. is employed for five or more years as a fire fighter or emergency medical technician; and
   3. seeks benefits or compensation for a disease or illness covered by this subchapter that is discovered during employment as a fire fighter or emergency medical technician.
b. A presumption under this subchapter does not apply:
   1. to a determination of a survivor’s eligibility for benefits under Chapter 615;
   2. in a cause of action brought in a state or federal court except for judicial review of a proceeding in which there has been a grant or denial of employment-related benefits or compensation;
   3. to a determination regarding benefits or compensation under a life or disability insurance policy purchased by or on behalf of the fire fighter or emergency medical technician that provides coverage in addition to any benefits or compensation required by law; or
   4. if the disease or illness for which benefits or compensation is sought is known to be caused by the use of tobacco and:
      A. the fire fighter or emergency medical technician is or has been a user of tobacco; or
      B. the fire fighter's or emergency medical technician's spouse has, during the marriage, been a user of tobacco that is consumed through smoking.
c. This subchapter does not create a cause of action.
d. This subchapter does not enlarge or establish a right to any benefit or compensation or eligibility for any benefit or compensation.
e. A fire fighter or emergency medical technician who uses a presumption established under this subchapter is entitled only to the benefits or compensation to which the fire fighter or emergency medical technician would otherwise be entitled to receive at the time the claim for benefits or compensation is filed.
f. For purposes of this subchapter, an individual described by Section 607.051(3)(B) is considered to have been employed or compensated while the individual actively served as a volunteer fire fighter. An individual who actively serves as a volunteer fire fighter is one who participates in a minimum of 40 percent of the drills conducted by the individual's department and 25 percent of the fire or other emergency calls received by the department during the time that the volunteer fire fighter is on call.
g. This subchapter applies to a fire fighter or emergency medical technician who provides services as an employee of an entity created by an interlocal agreement.
h. Subsection (b)(4) only prevents the application of the presumption authorized by this subchapter and does not affect the right of a fire fighter or emergency medical technician to provide proof, without the use of that presumption, that an injury or illness occurred during the course and scope of employment.

Sec. 607.055
CANCER.
a. A fire fighter or emergency medical technician who suffers from cancer resulting in death or total or partial disability is presumed to have developed the cancer during the course and scope of employment as a fire fighter or emergency medical technician if:
   1. the fire fighter or emergency medical technician:
      A. regularly responded on the scene to calls involving fires or fire fighting; or
      B. regularly responded to an event involving the documented release of radiation or a known or suspected carcinogen while the person was employed as a fire fighter or emergency medical technician; and
   2. the cancer is known to be associated with fire fighting or exposure to heat, smoke, radiation, or a known or suspected carcinogen, as described by Subsection (b).

b. This section applies only to a type of cancer 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.