



**Post-traumatic Stress Injury for First Responders
House Bill 1632 (PN 1916) and Senate Bill 365 (PN 975)
Municipal Talking Points**

Positives in bills:

- PTSI is an injury, not a presumptive disease.
- PTSI is defined correctly.
- First responders have 3 years after diagnosis to file a claim.
- Employment actions are excluded from compensation.

Concerns with bills:

- Local governments' concerns rest with the broad language of the bill, not with providing a benefit.
- The current language is not balanced, fiscally responsible, or sustainable for local governments.
- The potential for claims across the universe of first responders combined with no historical data will result in higher Workers' Comp premiums – i.e. an unfunded mandate that will be paid for with local tax dollars.
- The costs incurred in paying the resulting premiums, defending claims, and legal fees will result in less ability to support first responders at the local level.
- Workers' Comp and health insurance are currently available to first responders.
- The bills expand/make it easier for a first responder to be awarded a PTSI claim.
- Direct exposure to a traumatic event is not required to make or be awarded a claim.
- There is inconsistent drafting between (g) (1) and (g)(4) regarding "*direct exposure to the traumatic event.*"
- There is no definition or list of "qualifying traumatic events."
- There is no standard for the evidence presented by the first responder when submitting/being awarded a claim (should be substantial, competent evidence).
- Incident reports are not required when submitting a claim (these reports are produced now).
- Employer liability should be pinpointed by defining date of injury as last date of direct exposure to the traumatic event.
- PTSI diagnosis should be by a licensed psychologist or psychiatrist, not a licensed medical professional.
- There is no time limit on the duration of benefits.
- The 60-day effective date leaves very little time for municipalities and their insurance companies to prepare for premium increases that will occur (effective date should be 1 year).