

Committee on Banking and Insurance

HB 983 — Ratification of Rules of the Department of Financial Services

by Reps. Casello and Willhite (SB 1210 by Senator Book)

The bill ratifies Rule 64L-3.009, F.A.C., adopted by the Department of Financial Services (DFS).

Chapter 2018-124, L.O.F., allows a first responder to recover wage replacement benefits under the Workers' Compensation Law for post-traumatic stress disorder (PTSD) without an accompanying physical injury if the PTSD resulted from the first responder acting within the course of his or her employment and the first responder is examined and subsequently diagnosed with the disorder by a licensed psychiatrist. The PTSD must be due to specified events, including events that involve witnessing "grievous bodily harm of a nature that shocks the conscience." Chapter 2018-124, L.O.F., did not define "grievous bodily harm of a nature that shocks the conscience" and directed the DFS to adopt a rule defining the phrase.

The DFS filed the rule for adoption on December 5, 2018. The Statement of Estimated Regulatory Costs developed by the DFS determined that the proposed rule will likely increase regulatory costs in excess of \$1 million in the aggregate within 5 years after implementation of the rule. Section 120.541, F.S., requires that a rule that will likely increase regulatory costs in excess of \$1 million in the aggregate within 5 years be ratified by the Legislature before it may go into effect. The bill ratifies the rule.

If approved by the Governor, these provisions take effect upon becoming law.

Vote: Senate 38-0; House 117-0