

Committee on Banking and Insurance

CS/HB 689 — Workers' Compensation Benefits for Posttraumatic Stress Disorder

by State Affairs Committee and Reps. Giallombardo, Fischer, and others (CS/SB 1066 by Banking and Insurance Committee and Senators Burgess, Hooper, and Bradley)

Effective October 1, 2022, the compensability standards for posttraumatic stress disorder (PTSD) benefits for first responders is revised by extending the deadline for filing the notice of injury to 90 days after a qualifying event or a diagnosis, whichever is later. Current law provides the time for notice of injury or death is measured from one of the qualifying events or the manifestation of the disorder, whichever is later. The bill also extends the deadline for a first responder to file a claim to 52 weeks after the qualifying event or the diagnosis, whichever is later. Current law requires a claim be filed within 52 weeks after the qualifying event.

The bill provides wage replacement benefits to a correctional officer who suffers PTSD, in certain circumstances, without the correctional officer having also sustained a physical injury in the course and scope of employment. PTSD is deemed an occupational disease, thereby providing wage replacement benefits, as well as the current medical benefits for the correctional officer. The correctional officer will qualify for PTSD disability benefits if the correctional officer was acting within the course and scope of employment; and the correctional officer is diagnosed with PTSD due to experiencing a qualifying event. A correctional officer must file a notice of injury within 90 days of a qualifying event or a diagnosis of the disorder, whichever is later. A claim must be noticed within 52 weeks after the qualifying event or the diagnosis of the disorder, whichever is later.

If approved by the Governor, these provisions take effect July 1, 2022, except as otherwise provided.

Vote: Senate 39-0; House 115-0