



General Assembly

Amendment

January Session, 2005

LCO No. 5602

HB0663905602HDO

Offered by:

REP. RYAN, 139th Dist.

REP. WITKOS, 17th Dist.

REP. BERGER, 73rd Dist.

To: Subst. House Bill No. 6639

File No. 289

Cal. No. 252

**"AN ACT CONCERNING OFFSETS AGAINST DISABILITY
RETIREMENT BENEFITS FOR STATE EMPLOYEES."**

1 After the last section, add the following and renumber sections and
2 internal references accordingly:

3 "Sec. 501. Subdivision (16) of section 31-275 of the general statutes is
4 repealed and the following is substituted in lieu thereof (*Effective*
5 *October 1, 2005*):

6 (16) (A) "Personal injury" or "injury" includes, in addition to
7 accidental injury [which] that may be definitely located as to the time
8 when and the place where the accident occurred, an injury to an
9 employee [which] that is causally connected with [his] the employee's
10 employment and is the direct result of repetitive trauma or repetitive
11 acts incident to such employment, and occupational disease.

12 (B) "Personal injury" or "injury" shall not be construed to include:

13 (i) An injury to an employee [which] that results from [his] the
14 employee's voluntary participation in any activity the major purpose
15 of which is social or recreational, including, but not limited to, athletic
16 events, parties and picnics, whether or not the employer pays some or
17 all of the cost of such activity;

18 (ii) A mental or emotional impairment, unless such impairment
19 arises (I) from a physical injury or occupational disease, or (II) in the
20 case of a police officer, from such police officer's use of deadly force or
21 subjection to deadly force in the line of duty, regardless of whether
22 such police officer is physically injured, provided such police officer is
23 the subject of an attempt by another person to cause such police officer
24 serious physical injury or death through the use of deadly force, and
25 such police officer reasonably believes such police officer to be the
26 subject of such an attempt. As used in this clause, "police officer"
27 means a member of the Division of State Police within the Department
28 of Public Safety, an organized local police department or a municipal
29 constabulary, and "in the line of duty" means any action that a police
30 officer is obligated or authorized by law, rule, regulation or written
31 condition of employment service to perform, or for which the police
32 officer is compensated by the public entity such officer serves;

33 (iii) A mental or emotional impairment [which] that results from a
34 personnel action, including, but not limited to, a transfer, promotion,
35 demotion or termination; or

36 (iv) Notwithstanding the provisions of [clause (i) of this]
37 subparagraph (B)(i) of this subdivision, "personal injury" or "injury"
38 includes injuries to employees of local or regional boards of education
39 resulting from participation in a school-sponsored activity but does not
40 include any injury incurred while going to or from such activity. As
41 used in this clause, "school-sponsored activity" means any activity
42 sponsored, recognized or authorized by a board of education and
43 includes activities conducted on or off school property and
44 "participation" means acting as a chaperone, advisor, supervisor or
45 instructor at the request of an administrator with supervisory

46 authority over the employee.

47 Sec. 502. (NEW) (*Effective October 1, 2005*) Notwithstanding any
48 provision of chapter 568 of the general statutes, workers' compensation
49 benefits for any police officer, as defined in subparagraph (B)(ii) of
50 subdivision (16) of section 31-275 of the general statutes, as amended
51 by this act, who suffers a mental or emotional impairment arising from
52 such police officer's use of deadly force or subjection to deadly force in
53 the line of duty, shall be limited to treatment by a psychologist or a
54 psychiatrist who is on the approved list of practicing physicians
55 established by the chairman of the Workers' Compensation
56 Commission pursuant to section 31-280 of the general statutes."