

OFFICE OF LEGISLATIVE RESEARCH
PUBLIC ACT SUMMARY



PA 12-126—sHB 5233

*Labor and Public Employees Committee
Appropriations Committee*

**AN ACT CONCERNING WORKERS' COMPENSATION FOR
FIREFIGHTERS**

SUMMARY: This act extends workers' compensation coverage for mental or emotional impairment to a firefighter diagnosed with post-traumatic stress disorder (PTSD) because the firefighter witnessed the death of another firefighter while engaged in the line of duty. To be eligible, the firefighter (1) must be diagnosed by a licensed and board certified mental health professional who determines the PTSD stems from witnessing the death of another firefighter and (2) is not subject to any other exclusion under workers' compensation law. It extends this coverage to volunteer or paid uniformed municipal firefighters.

The workers' compensation benefits under the act are limited to treatment from a practicing psychologist or psychiatrist on an approved list established by the Workers' Compensation Commission chairperson. This differs from full workers' compensation coverage in that it does not provide wage replacement benefits.

Previously, workers' compensation only covered a mental or emotional injury under two scenarios. In the first scenario, a mental or emotional injury is compensable under workers' compensation if it arises out of a physical injury that occurs on the job or is job-related. In these cases, the workers' compensation claim starts with the physical injury and the employee is eligible for wage replacement and medical benefits.

In the second, a police officer's mental and emotional injury that arises from a job-related incident in which the officer was subject to the attempted use of deadly force or the officer used deadly force on another person is covered under worker's compensation, but the benefit is limited to treatment by an approved psychologist or psychiatrist.

EFFECTIVE DATE: Upon passage and applicable to any claim filed on or after that date.

OLR Tracking: JM:JR:PF:ts/eh