



General Assembly

January Session, 2015

Raised Bill No. 593

LCO No. 2928



Referred to Committee on LABOR AND PUBLIC EMPLOYEES

Introduced by:
(LAB)

***AN ACT CONCERNING SEVERE MENTAL AND EMOTIONAL
IMPAIRMENT AND WORKERS' COMPENSATION COVERAGE.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subdivision (16) of section 31-275 of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective from*
3 *passage*):

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

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

11 (i) An injury to an employee that results from the employee's
12 voluntary participation in any activity the major purpose of which is
13 social or recreational, including, but not limited to, athletic events,

14 parties and picnics, whether or not the employer pays some or all of
15 the cost of such activity;

16 (ii) A mental or emotional impairment, unless such impairment (I)
17 arises from a physical injury or occupational disease, (II) in the case of
18 a police officer, arises from such police officer's use of deadly force or
19 subjection to deadly force in the line of duty, regardless of whether
20 such police officer is physically injured, provided such police officer is
21 the subject of an attempt by another person to cause such police officer
22 serious physical injury or death through the use of deadly force, and
23 such police officer reasonably believes such police officer to be the
24 subject of such an attempt, [or] (III) in the case of a firefighter, is
25 diagnosed as post-traumatic stress disorder by a licensed and board
26 certified mental health professional, determined by such professional
27 to be originating from the firefighter witnessing the death of another
28 firefighter while engaged in the line of duty and not subject to any
29 other exclusion in this section, or (IV) in the case of any employee, is
30 diagnosed by a psychiatrist licensed pursuant to chapter 370 or a
31 psychologist licensed pursuant to chapter 383, and determined by such
32 psychiatrist or psychologist to be originating from the employee
33 visually witnessing the death or maiming, or visually witnessing the
34 immediate aftermath of such death or maiming, of one or more human
35 beings, whose death or maiming was caused by an act of another
36 human being, and which is not the result of some natural cause,
37 provided such death or maiming is not the result of a motor vehicle
38 collision and the visual witnessing of such death or maiming, or the
39 visual witnessing of the aftermath of such death or maiming, was
40 causally connected with the employee's employment. As used in this
41 clause, "police officer" means a member of the Division of State Police
42 within the Department of Emergency Services and Public Protection,
43 an organized local police department or a municipal constabulary,
44 "firefighter" means a uniformed member of a municipal paid or
45 volunteer fire department, [and] "in the line of duty" means any action
46 that a police officer or firefighter is obligated or authorized by law,

47 rule, regulation or written condition of employment service to
48 perform, or for which the police officer or firefighter is compensated
49 by the public entity such officer serves, and "maiming" means the loss
50 of any member or organ, and "immediate aftermath" means the scene
51 at which such death or maiming occurred for a period of time not to
52 exceed six hours after such scene is secured by law enforcement
53 officers;

54 (iii) A mental or emotional impairment that results from a personnel
55 action, including, but not limited to, a transfer, promotion, demotion
56 or termination; or

57 (iv) Notwithstanding the provisions of subparagraph (B)(i) of this
58 subdivision, "personal injury" or "injury" includes injuries to
59 employees of local or regional boards of education resulting from
60 participation in a school-sponsored activity but does not include any
61 injury incurred while going to or from such activity. As used in this
62 clause, "school-sponsored activity" means any activity sponsored,
63 recognized or authorized by a board of education and includes
64 activities conducted on or off school property and "participation"
65 means acting as a chaperone, advisor, supervisor or instructor at the
66 request of an administrator with supervisory authority over the
67 employee.

68 Sec. 2. Section 31-294h of the general statutes is repealed. (*Effective*
69 *from passage*)

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	31-275(16)
Sec. 2	<i>from passage</i>	Repealer section

Statement of Purpose:

To expand workers' compensation coverage to individuals suffering from a severe mental or emotional impairment as a direct result of

witnessing the death or maiming of another human being whose death or maiming was caused by an act of violence of another human being.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]