



Labor & Public Employees Committee
February 18, 2021

The Connecticut Conference of Municipalities (CCM) is Connecticut's statewide association of towns and cities and the voice of local government - your partners in governing Connecticut. Our members represent 168 municipalities in Connecticut.

SB 660 An Act Expanding Workers' Compensation Benefits For Mental Or Emotional Impairments Suffered By All Workers – CCM OPPOSES - The bill would expand workers' compensation benefits for mental or emotional impairments to cover all workers.

SB 665 An Act Allowing Emergency Medical Service Providers To Obtain Workers' Compensation Benefits For Certain Mental Or Emotional Impairments – CCM SUPPORTS - The bill would expand the list of employee classifications that are eligible to obtain certain Workers' Compensation benefits when they are diagnosed with post-traumatic stress injury (PTSI) under the new law enacted in PA 19-17 to include EMS personnel.

SB 666 An Act Concerning Workers' Compensation Benefits For Certain Mental Or Emotional Impairments And Mental Health Care For Correctional Staff, Emergency Medical Staff And Dispatchers – CCM OPPOSES (AS DRAFTED) - The bill would provide workers' compensation coverage for certain mental or emotional impairments for Department of Correction and emergency medical staff and dispatchers.

Background

The creation of PA 19-17, which allows firefighters and police officers to obtain certain Workers' Compensation benefits when they are diagnosed with post-traumatic stress injury (PTSI), was the result of over a year-long series of extensive discussions between the various stakeholders. The considerations were absent political ideology and focused on the greater good of our first responders along with the property taxpayers of Connecticut. Each party involved in the development of the legislation dealt in good faith and was willing to compromise in order to create a meaningful and realistic legislation.

Impact of New Employee Classifications

CCM and others have pleaded with the legislature that modifications to the law is not as simplistic as adding the titles into statute. Other considerations need to be considered to ensure training and department requirements can be obtained and model policies can be developed for new occupations. CCM has indicated that any substantive changes likely warrant separate sections in statute because of their unique and complicated nature.

SB 666

The bill, as drafted, allows three employee classifications be afforded workers compensation benefits when diagnosed with PTSI. Therefore, as drafted CCM opposes SB 666. However, CCM is under the belief that the bill is intended to include the three employee classifications into eligible employees under PA 19-17. If this correction is made in subsequent drafts, CCM would urge the Committee to consider the following substantive modifications:

- If the intent is to include dispatchers into PA 19-17, as drafted there are practical flaws, including redefining “witnessing” to include instances where an incident is heard by telephone or radio. CCM and the various stakeholders had an in-depth review and discussion of each of the six critical incidents listed in PA 19-17. The list of incidents now in law are intended to be the most egregious and traumatic instances that a police or firefighter would experience in their professional career. They are intended to be instances where the individual has physically witnessed, not through photograph, video or audio.

If dispatchers are to be considered, suggested language should include reference that the provisions are only applicable to “those emergency telecommunicators that were directly responsible for handling the call during the critical incident.” This will reduce ambiguity and ensure those responsible for the handling of a particular call are able to be afforded with the provisions of PA 19-17.

- An important component of PA 19-17 is to assist the first responders in becoming aware of mental health care and developing resilience techniques through the development of standard policies for critical incidents and peer support programs for these employees. **CCM would ask that consideration be given to the new classification of employees ability to have training and access for resilience techniques and peer support programs.**

SB 660

CCM opposes the bill as a costly new unfunded mandate on municipalities and business throughout the State.

As proposed, the bill would conjure divisive tones regarding historic bills of session past that would have expanded workers compensations to assist employees with PTSI. As CCM has articulated for several years, **towns and cities cannot afford to pay these benefits without the help of the State**. Depending on the circumstances, the cost of an individual “mental-stress” case for either partial disability or a permanent total claim could range from tens of thousands of dollars, to over **\$1 million** for the duration of the claim.¹ Additionally, once an injury is identified as a work related injury and covered under the workers' compensation system any subsequent injury or impairment which can be causally linked to the initial injury is also covered by workers' compensation. This would result in a wide range of potential per claim costs.

This broad sweeping proposal to include all workers would have dire consequences for economic health of Connecticut municipalities and business, in particular stifle economic growth in a time

¹ OFA Fiscal Note, SB 593, 2015

that the State needs the necessary mechanisms to encourage, not discourage, economic development.

Conclusion

As indicated, CCM would be amenable to considering additional classification of employees into the provisions of PA 19-17, as long as **no modifications be made to the benefits, process, standards and other specifics of the law.**

CCM underwent negotiations on the underlying law as an indication of our willingness to come to the table, discuss an important issue, and try to reach a compromise that works for municipal employees, municipal employers and taxpayers. PA 19-17 was not only a reflection of our position on this particular issue, but it established a benchmark for future conversations on other contentious issues.

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If you have any questions, please contact Mike Muszynski (mmuszynski@ccm-ct.org or 203-500-7556), Brian O'Connor (boconnor@ccm-ct.org or 203-804-4658) or Zach McKeown (zmckeown@ccm-ct.org or 860-462-9556) of CCM.