
OLR Bill Analysis

sSB 321

AN ACT EXPANDING WORKERS' COMPENSATION COVERAGE FOR POST-TRAUMATIC STRESS INJURIES FOR ALL EMPLOYEES.

SUMMARY

Starting on January 1, 2023, this bill expands eligibility for workers' compensation benefits for post-traumatic stress injuries (PTSI) to cover all employees covered by the workers' compensation law.

Current law generally limits eligibility for PTSI benefits to certain first responders (e.g., police officers, firefighters, emergency medical service personnel, and emergency 9-1-1 dispatchers) who are diagnosed with PTSI as a direct result of certain qualifying events (e.g., witnessing someone's death) that occur in the line of duty. The bill allows any employee covered by workers' compensation law to qualify for the benefits if the same qualifying events occur in the course of the employee's employment. The PTSI benefits provided to them are subject to the same procedures and limitations that currently apply to the PTSI benefits for first responders.

EFFECTIVE DATE: January 1, 2023

QUALIFYING EVENTS

Under current law, certain first responders are eligible for workers' compensation PTSI benefits if a mental health professional examines them and diagnoses PTSI as a direct result of a qualifying event in the line of duty. Beginning January 1, 2023, the bill extends these same eligibility requirements to all employees covered by the workers' compensation law. Thus, their PTSI is compensable with workers' compensation benefits if a mental health professional examines them and diagnoses PTSI as a direct result of an event that occurs in their course of employment in which they:

1. view a deceased minor;
2. witness (a) someone's death or an incident involving someone's death, (b) an injury to someone who subsequently dies before or upon admission to a hospital as a result of the injury and not any other intervening cause, or (c) a traumatic physical injury that results in the loss of a vital body part or a vital body function that results in the victim's permanent disfigurement; or
3. carry, or have physical contact with and treat, an injured person who subsequently dies before or upon admission to a hospital as a result of the injury and not any other intervening cause.

PTSI BENEFITS AND PROCEDURES

The PTSI benefits provided to all employees under the bill are subject to the same limitations and procedures that current law applies to the benefits for first responders. Among other things, this (1) caps the benefits' duration at 52 weeks; (2) prohibits the benefits from being awarded more than four years after the qualifying event; and (3) requires that employers contest a claim for PTSI benefits through a process that is generally similar to the one used for contesting other workers' compensation claims, although with different deadlines.

COMMITTEE ACTION

Labor and Public Employees Committee

Joint Favorable Substitute

Yea 13 Nay 0 (03/22/2022)