

HB 1739 -- OCCUPATIONAL DISEASES DIAGNOSED IN FIRST RESPONDERS

SPONSOR: Hicks

This bill provides that if, preceding the date of injury or death, an employee who is on active duty as a first responder is diagnosed with a mental impairment and he or she was not previously diagnosed with such an impairment, then the impairment shall presumptively be considered an occupational disease and presumed to have arisen out of and in the course of employment. This presumption may be rebutted by the employer or insurer.

The bill specifies that one or more compensable mental impairment claims arising out of a single accident shall constitute a single injury. Furthermore, a mental impairment shall not be considered an occupational disease if it results from a disciplinary action, work evaluation, job transfer, layoff, demotion, promotion, termination, retirement, or similar action taken in good faith by the employer.

This bill is similar to SB 281 (2019).