

HB 223 -- OCCUPATIONAL DISEASES DIAGNOSED IN FIRST RESPONDERS

SPONSOR: Crossley

The bill defines certain terms such as "First responder", "Mental impairment", and "Posttraumatic stress disorder", along with specific job classifications including "Emergency medical technician", "Emergency services telecommunicator", and "Paramedic".

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

One or more compensable mental impairment claims arising out of a single accident shall constitute a single injury. A mental impairment arising out of and in the course of employment caused by a single accident or cumulative trauma shall also constitute a compensable mental impairment claim.

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 HB 1965 (2020).