

1 TO THE HOUSE OF REPRESENTATIVES:

2 The Committee on General and Housing to which was referred House Bill
3 No. 297 entitled “An act relating to providing workers’ compensation coverage
4 for post-traumatic stress disorder suffered by certain State employees”
5 respectfully reports that it has considered the same and recommends that the
6 bill be amended by striking out all after the enacting clause and inserting in
7 lieu thereof the following:

8 Sec. 1. 21 V.S.A. § 601 is amended to read:

9 § 601. DEFINITIONS

10 As used in this chapter:

11 * * *

12 (11) “Personal injury by accident arising out of and in the course of
13 employment” includes an injury caused by the willful act of a third person
14 directed against an employee because of that employment.

15 * * *

16 (I)(i) In the case of police officers, rescue or ambulance workers, ~~or~~
17 firefighters, or State employees, as that term is defined pursuant to subdivision
18 (iii)(VI) of this subdivision (11)(I), post-traumatic stress disorder that is
19 diagnosed by a mental health professional shall be presumed to have been
20 incurred during service in the line of duty and shall be compensable, unless it
21 is shown by a preponderance of the evidence that the post-traumatic stress

1 disorder was caused by nonservice-connected risk factors or nonservice-
2 connected exposure.

3 (ii) A police officer, rescue or ambulance worker, ~~or firefighter, or~~
4 State employee who is diagnosed with post-traumatic stress disorder within
5 three years ~~of following~~ the last active date of employment as a police officer,
6 rescue or ambulance worker, ~~or firefighter, or State employee~~ shall be eligible
7 for benefits under this subdivision (11).

8 (iii) As used in this subdivision (11)(I):

9 (I) “Classified employee” means an employee in the classified
10 service, as defined pursuant to 3 V.S.A. § 311.

11 (II) “Firefighter” means a firefighter as defined in 20 V.S.A.
12 § 3151(3) and (4).

13 ~~(H)~~(III) “Mental health professional” means a person with
14 professional training, experience, and demonstrated competence in the
15 treatment and diagnosis of mental conditions, who is certified or licensed to
16 provide mental health care services and for whom diagnoses of mental
17 conditions are within ~~his or her~~ the person’s scope of practice, including a
18 physician, nurse with recognized psychiatric specialties, psychologist, clinical
19 social worker, mental health counselor, or alcohol or drug abuse counselor.

1 ~~(III)~~(IV) “Police officer” means a law enforcement officer who
2 has been certified by the Vermont Criminal Justice Council pursuant to 20
3 V.S.A. chapter 151.

4 ~~(IV)~~(V) “Rescue or ambulance worker” means ambulance
5 service, emergency medical personnel, first responder service, and volunteer
6 personnel as defined in 24 V.S.A. § 2651.

7 (VI) “State employees” means:

8 (aa) facility employees of the Department of Corrections;

9 (bb) employees of the Department of Corrections who
10 provide direct security or treatment services to offenders under supervision in
11 the community;

12 (cc) classified employees of State-operated therapeutic
13 community residences or inpatient psychiatric hospital units;

14 (dd) classified employees of public safety answering points;

15 (ee) classified employees of the Family Services Division of
16 the Department for Children and Families;

17 (ff) classified employees of the Vermont Veterans’ Home;

18 and

19 (gg) classified employees of the Department of State’s
20 Attorneys and Sheriffs, State’s Attorneys, and employees of the Department of

