

1 TO THE HONORABLE SENATE:

2 The Committee on Finance to which was referred Senate Bill No. 56
3 entitled “An act relating to life insurance policies and the Vermont Uniform
4 Securities Act” respectfully reports that it has considered the same and
5 recommends that the Senate concur in the House proposal of amendment with
6 the following proposal of amendment thereto: By striking out Sec. 23 and Sec.
7 24 and the accompanying reader assistance (unemployment compensation) in
8 their entirety and by inserting in lieu thereof a new Sec. 23 and a new Sec. 24
9 to read as follows:

10 Sec. 23. 21 V.S.A. § 601 is amended to read:

11 § 601. DEFINITIONS

12 Unless the context otherwise requires, words and phrases used in this
13 chapter shall be construed as follows:

14 * * *

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

18 * * *

19 (I)(i) In the case of police officers, rescue or ambulance workers, or
20 firefighters, post-traumatic stress disorder that is diagnosed by a mental health
21 professional shall be presumed to have been incurred during service in the line

1 of duty and shall be compensable, unless it is shown by a preponderance of the
2 evidence that the post-traumatic stress disorder was caused by nonservice-
3 connected risk factors or nonservice-connected exposure.

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

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

9 (I) “Firefighter” means a firefighter as defined in 20 V.S.A.
10 § 3151(3) and (4).

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

18 (III) “Police officer” means a law enforcement officer who has
19 been certified by the Vermont Criminal Justice Training Council pursuant to
20 20 V.S.A. chapter 151.

1 (a) The Commissioner of Labor, in consultation with the Secretary of
2 Administration, the Commissioner of Financial Regulation, the Vermont
3 League of Cities and Towns, and the National Council on Compensation
4 Insurance, shall examine claims for workers' compensation made pursuant to
5 21 V.S.A. § 601(11)(I) and (J) between July 1, 2017 and January 1, 2020,
6 including:

7 (1) the number of claims made;

8 (2) the cost of the workers compensation benefits provided for those
9 claims; and

10 (3) any changes in administrative and premium costs associated with
11 those claims.

12 (b) On or before January 15 of each year from 2018 through 2020, the
13 Commissioner shall report to the House Committees on Appropriations, on
14 Commerce and Economic Development, and on Health Care, and the Senate
15 Committees on Appropriations, on Finance, and on Health and Welfare
16 regarding its findings and any recommendations for legislative changes.

17

18 (Committee vote: _____)

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Senator _____

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FOR THE COMMITTEE