1	S.93
2	Introduced by Senators Lyons, Ingram, Pearson, and Sirotkin
3	Referred to Committee on
4	Date:
5	Subject: Labor; workers' compensation; mental health
6	Statement of purpose of bill as introduced: This bill proposes to provide
7	workers' compensation coverage for mental health conditions that result from
8	workplace conditions that are a characteristic of or peculiar to a particular
9	occupation, and to create a presumption that post-traumatic stress disorder
10	suffered by a police officer, rescue or ambulance worker, or firefighter was
11	incurred in the line of duty.
12	An act relating to mental health parity for workers' compensation
13	It is hereby enacted by the General Assembly of the State of Vermont:
14	Sec. 1. 21 V.S.A. § 601 is amended to read:
15	§ 601. DEFINITIONS
16	Unless the context otherwise requires, words and phrases used in this
17	chapter shall be construed as follows:
18	* * *

BILL AS INTRODUCED 2017

1	(11) "Personal injury by accident arising out of and in the course of
2	employment" includes an injury caused by the willful act of a third person
3	directed against an employee because of that employment.
4	* * *
5	(I)(i) In the case of police officers, rescue or ambulance workers, or
6	firefighters, post-traumatic stress disorder that is diagnosed by a psychiatrist or
7	psychologist shall be presumed to have been incurred during service in the line
8	of duty and shall be compensable, unless it is shown by a preponderance of the
9	evidence that the post-traumatic stress disorder was caused by nonservice-
10	connected risk factors or nonservice-connected exposure.
11	(ii) A police officer, rescue or ambulance worker, or firefighter
12	who is diagnosed with post-traumatic stress disorder within three years of the
13	last active date of employment as a police officer, rescue or ambulance worker,
14	or firefighter shall be eligible for benefits under this subdivision (11).
15	* * *
16	(23) "Occupational disease" means a disease that results from causes
17	and conditions characteristic of and peculiar to a particular trade, occupation,
18	process, or employment, and to which an employee is not ordinarily subjected
19	or exposed to outside or away from the employment and arises out of and in
20	the course of the employment. The term "occupational disease" shall include a
21	mental condition as defined in 8 V.S.A. § 4089b, whether sudden or gradual in

1	onset, that requires medical or psychiatric services or that results in physical or
2	psychiatric disability or death.
3	* * *
4	Sec. 2. EFFECTIVE DATE
5	This act shall take effect on July 1, 2017.