

1 H.335

2 Introduced by Representatives Pugh of South Burlington and Copeland-

3 Hanzas of Bradford

4 Referred to Committee on

5 Date:

6 Subject: Labor; workers' compensation; post-traumatic stress disorder

7 Statement of purpose of bill as introduced: This bill proposes to create a  
8 presumption that post-traumatic stress disorder suffered by a caseworker in the  
9 Department for Children and Families' Family Services Division who  
10 investigates complaints of neglect, abuse, or abandonment of children was  
11 incurred in the line of duty for purposes of determining eligibility for workers'  
12 compensation benefits.

13 An act relating to providing workers' compensation coverage for post-  
14 traumatic stress disorder suffered by Family Services Division caseworkers

15 It is hereby enacted by the General Assembly of the State of Vermont:

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

17 § 601. DEFINITIONS

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

20 \* \* \*

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, or family services workers, post-traumatic stress disorder that is  
7 diagnosed by a mental health professional shall be presumed to have been  
8 incurred during service in the line of duty and shall be compensable, unless it  
9 is shown by a preponderance of the evidence that the post-traumatic stress  
10 disorder was caused by nonservice-connected risk factors or nonservice-  
11 connected exposure.

12 (ii) A police officer, rescue or ambulance worker, ~~or~~ firefighter, or  
13 family services worker who is diagnosed with post-traumatic stress disorder  
14 within three years of the last active date of employment as a police officer,  
15 rescue or ambulance worker, ~~or~~ firefighter, or family services worker shall be  
16 eligible for benefits under this subdivision (11).

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

18 \* \* \*

19 (V) “Family services worker” means a caseworker in the  
20 Department for Children and Families’ Family Services Division who  
21 investigates complaints of neglect, abuse, or abandonment of children.

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Sec. 2. EFFECTIVE DATE

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This act shall take effect on July 1, 2019.