

1 H.292

2 Introduced by Representative Hooper of Burlington

3 Referred to Committee on

4 Date:

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

6 Statement of purpose of bill as introduced: This bill proposes to create a  
7 presumption that post-traumatic stress disorder suffered by certain public  
8 employees was incurred in the line of duty for purposes of determining  
9 eligibility for workers' compensation benefits.

10 An act relating to providing workers' compensation coverage for post-  
11 traumatic stress disorder suffered by certain public employees

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

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

14 § 601. DEFINITIONS

15 ~~Unless the context otherwise requires, words and phrases As used in this~~  
16 ~~chapter shall be construed as follows:~~

17 \* \* \*

18 (11) "Personal injury by accident arising out of and in the course of  
19 employment" includes an injury caused by the willful act of a third person  
20 directed against an employee because of that employment.

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\* \* \*

(I)(i) In the case of police officers, rescue or ambulance workers, ~~or~~ firefighters, State employees, or Judiciary employees, post-traumatic stress disorder that is diagnosed by a mental health professional shall be presumed to have been incurred during service in the line of duty and shall be compensable, unless it is shown by a preponderance of the evidence that the post-traumatic stress disorder was caused by nonservice-connected risk factors or nonservice-connected exposure.

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

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

\* \* \*

(V) “State employee” has the same meaning as in 3 V.S.A. § 902(5).

(VI) “Judiciary employee” means an employee as that term is defined pursuant to 3 V.S.A. § 1011(8).

\* \* \*

1       Sec. 2. EFFECTIVE DATE

2       This act shall take effect on July 1, 2023.