

Sen. Bradley, Dist 3
Sen. Innis, Dist 24
March 15, 2018
2018-1116s
01/04

Floor Amendment to SB 553-FN

1 Amend the title of the bill by replacing it with the following:

2

3 AN ACT establishing a commission to study the incidence of post traumatic stress disorder in
4 first responders and whether such disorder should be covered under workers'
5 compensation.
6

7 Amend the bill by replacing all after the enacting clause with the following:

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9 1 New Section; Commission to Study the Incidence of Post Traumatic Stress Disorder in First
10 Responders and Whether Such Disorder Should be Covered Under Workers' Compensation. Amend
11 RSA 281-A by inserting after section 17 the following new section:

12 281-A:17-a Commission Established.

13 I.(a) There is established a commission to study the incidence of post traumatic stress
14 disorder in first responders and whether such disorder should be covered under workers'
15 compensation. The members of the commission shall be as follows:

16 (1) One member of the senate, appointed by the president of the senate.

17 (2) Three members of the house of representatives, appointed by the speaker of the
18 house of representatives.

19 (3) The labor commissioner, or designee.

20 (4) The commissioner of safety, or designee.

21 (5) The insurance commissioner, or designee.

22 (6) A representative of the New Hampshire Municipal Association, appointed by the
23 association.

24 (7) A representative of the New Hampshire Association of Counties appointed by the
25 association.

26 (8) A representative of the National Alliance on Mental Illness New Hampshire,
27 appointed by the alliance.

28 (9) A fire chief, appointed by the New Hampshire Association of Fire Chiefs.

29 (10) One member appointed by the New Hampshire Association of Chiefs of Police.

30 (11) One member appointed by the New Hampshire Police Association.

31 (12) A representative of the Professional Firefighters of New Hampshire, appointed
32 by that organization.

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1 (13) A representative of the New Hampshire Association of Emergency Medical
2 Technicians, appointed by the association.

3 (14) A representative of the New Hampshire Ambulance Association, appointed by
4 the association.

5 (15) A representative of the New Hampshire Public Risk Management Exchange,
6 appointed by that organization.

7 (16) The adjutant general, or designee.

8 (17) An attorney, appointed by the New Hampshire Association of Justice.

9 (18) An attorney practicing in the field of workers' compensation defense, appointed
10 by the governor.

11 (b) Legislative members of the commission shall receive mileage at the legislative rate
12 when attending to the duties of the commission.

13 II.(a) The commissions shall study:

14 (1) The prevalence of post traumatic stress disorder (PTSD) among first responders.

15 (2) The prevalence of PTSD, or factors contributing to PTSD, among first
16 responders at the time of hiring.

17 (3) The extent to which first responders' employment benefits provide health
18 insurance coverage for treatment of PTSD.

19 (4) The degree to which employers who hire first responders are capable of
20 reassigning affected workers to less stressful positions that would allow employees to continue
21 working while receiving mental health treatment.

22 (5) The degree to which employers currently provide peer-to-peer counseling
23 programs for first responders, the effectiveness of such programs, and the degree to which such
24 programs should be expanded.

25 (6) The degree to which workplace culture prevents first responders from seeking
26 assistance for mental health issues that may be caused or exacerbated by workplace stress.

27 (7) The extent to which prior military service may contribute to the rate of PTSD
28 among first responders.

29 (8) The difficulty first responders currently have establishing that a PTSD diagnosis
30 is causally related to employment.

31 (9) The difficulty employers would have establishing that a pre-employment
32 condition or experience caused PTSD, rather than a first responders' current employment.

33 (10) The cost that creating a rebuttal presumption that PTSD was caused uncured
34 during service in the line of duty would impose on public employers, private employers, and
35 taxpayers.

36 (11) Other issues the commission deems relevant to its study.

37 (b) The commission may solicit input from any person or entity the commission deems

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1 relevant to its study.

2 III. The members of the commission shall elect a chairperson from among the members.
3 The first meeting of the commission shall be called by the senate member. The first meeting of the
4 commission shall be held within 45 days of the effective date of this section. Ten members of the
5 commission shall constitute a quorum.

6 IV. On or before November 1, 2018, the commission shall submit a report of its findings and
7 any recommendations for proposed legislation to the president of the senate, the speaker of the
8 house of representatives, the senate clerk, the house clerk, the governor, and the state library.

9 2 Repeal. RSA 281-A:17-a, relative to a commission to study the incidence of post traumatic
10 stress disorder in first responders and whether such disorder should be covered under workers'
11 compensation, is repealed.

12 3 Effective Date.

13 I. Section 2 of this act shall take effect November 1, 2018.

14 II. The remainder of this act shall take effect upon its passage.

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AMENDED ANALYSIS

This bill establishes a commission to study the incidence of post traumatic stress disorder in first responders and whether such disorder should be covered under workers' compensation.