

YES

on SB 507 / HB 2418

PROTECT PUBLIC SAFETY WORKERS

AT A GLANCE

Workers compensation covers many on-the-job injuries and afflictions, but there is a gap in access that must be closed. This measure will help ensure public safety personnel such as firefighters, corrections officers and law enforcement officers can get the help they need after a job-related trauma. **Fire fighters, corrections officers, and law enforcement officers urge a YES vote.**

Background

Fire fighters, corrections officers, and law enforcement officers are on the front lines of public safety and emergency responses. The hazardous and often traumatic events faced in the line of duty can not be avoided and can not be ignored.

As we continue to raise awareness and continue to understand more about mental health, the mental health impact these employees endure has become undeniable. Psychological standards specifically recognize first responders are subject to PTSD and other trauma-stress related disorders, yet we ask them to absorb, to bear the mental health impacts of trauma.

However, when these employees file a workers' compensation claim for trauma-stress related disorders such as PTSD, the system presumes their mental health claim is not job related. When they are most vulnerable and seeking help, they face an adversarial legal and insurance system which challenges the very nature of the claim and requires proof of medical causation by clear and convincing evidence.

Measure

This measure makes a very simple change to statute. Instead of these employees having to prove that their trauma-stress related disorders are employment-related, the employer would be required to prove they are not.

Benefits

- ✓ Helps protect public servants who put themselves on the front lines for our communities every day. Research shows approximately 22% of firefighters suffer from PTSD, and nearly half have thought about suicide. **Those with PTSD are six times as likely to attempt suicide.**
- ✓ Promotes ongoing wellness among firefighters, corrections employees, and law enforcement officers by showing that legitimate claims will be honored.
- ✓ Assists with recruitment and hiring, when employers can better assure new employees that job-related conditions will not subject them to an adversarial legal process.

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AFSCME
Council 75



Association of Oregon
Corrections Employees



Oregon Coalition of
Police & Sheriffs



Oregon State Fire
Fighters Council



Oregon State Police
Officers' Association

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Frequently Asked Questions

Q: Have these kind of job-specific presumptions been tried?

A: Yes! We already have such allowances in statute. For example, we know that fire fighters are prone to certain types of cancers from the type of work they do, and so Oregon laws facilitate workers' comp programs recognizing those cancers as an employment-related affliction for firefighters.

Q: What if the PTSD is not employment-related?

A: This bill does not mandate coverage in those circumstances. However, the bill will require the employer to make the case that the condition is not work-related, instead of requiring the employee to somehow prove that it is. Most fire fighters and law enforcement officers receive a psychological exam before being hired.

Q: What will this do to employers' workers comp rates?

A: Not much. Unlike your personal car insurance where one claim might drastically affect your premium, workers comp rates are set by broad actuarial tables that change more slowly.

Q: Does this mean that employers will end up covering any kind of run-of-the-mill stress?

A: No. This measure only applies to disorders from trauma related stress in the performance of duties that are defined and diagnosable by the medical community and that require treatment.

Q: I've heard that this isn't really a problem because not many employees who bring a claim are turned down. Is this measure necessary?

A: Many employees with PTSD may be reluctant to seek treatment or file a workers compensation claim because it is incredibly difficult to prove that such a condition is employment-related. This legislation supports better mental health.

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