

1-1 By: Wray, et al. (Senate Sponsor - Whitmire) H.B. No. 1983
1-2 (In the Senate - Received from the House May 1, 2017;
1-3 May 4, 2017, read first time and referred to Committee on Business
1-4 & Commerce; May 21, 2017, reported favorably by the following vote:
1-5 Yeas 8, Nays 0; May 21, 2017, sent to printer.)

1-6 COMMITTEE VOTE

1-7	Yea	Nay	Absent	PNV
1-8	X			
1-9	X			
1-10	X			
1-11	X			
1-12			X	
1-13	X			
1-14	X			
1-15	X			
1-16	X			

1-17 A BILL TO BE ENTITLED
1-18 AN ACT

1-19 relating to the eligibility of a first responder for workers'
1-20 compensation benefits for post-traumatic stress disorder.

1-21 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-22 SECTION 1. Subchapter B, Chapter 504, Labor Code, is
1-23 amended by adding Section 504.019 to read as follows:

1-24 Sec. 504.019. COVERAGE FOR POST-TRAUMATIC STRESS DISORDER
1-25 FOR CERTAIN FIRST RESPONDERS. (a) In this section:

1-26 (1) "First responder" means an individual employed by
1-27 a political subdivision of this state who is:

1-28 (A) a peace officer under Article 2.12, Code of
1-29 Criminal Procedure;

1-30 (B) a person licensed under Chapter 773, Health
1-31 and Safety Code, as an emergency care attendant, emergency medical
1-32 technician, emergency medical technician-intermediate, emergency
1-33 medical technician-paramedic, or licensed paramedic; or

1-34 (C) a firefighter subject to certification by the
1-35 Texas Commission on Fire Protection under Chapter 419, Government
1-36 Code, whose principal duties are firefighting and aircraft crash
1-37 and rescue.

1-38 (2) "Post-traumatic stress disorder" means a disorder
1-39 that meets the diagnostic criteria for post-traumatic stress
1-40 disorder specified by the American Psychiatric Association in the
1-41 Diagnostic and Statistical Manual of Mental Disorders, fifth
1-42 edition, or a later edition adopted by the commissioner of workers'
1-43 compensation.

1-44 (b) Post-traumatic stress disorder suffered by a first
1-45 responder is a compensable injury under this subtitle only if it is
1-46 based on a diagnosis that:

1-47 (1) the disorder is caused by an event occurring in the
1-48 course and scope of the first responder's employment; and

1-49 (2) the preponderance of the evidence indicates that
1-50 the event was a substantial contributing factor of the disorder.

1-51 SECTION 2. Section 408.006(b), Labor Code, is amended to
1-52 read as follows:

1-53 (b) Notwithstanding Section 504.019, a [A] mental or
1-54 emotional injury that arises principally from a legitimate
1-55 personnel action, including a transfer, promotion, demotion, or
1-56 termination, is not a compensable injury under this subtitle.

1-57 SECTION 3. The change in law made by this Act applies only
1-58 to a claim for workers' compensation benefits based on a
1-59 compensable injury that occurs on or after the effective date of
1-60 this Act. A claim based on a compensable injury that occurs before
1-61 that date is governed by the law as it existed on the date the

2-1 compensable injury occurred, and the former law is continued in
2-2 effect for that purpose.

2-3 SECTION 4. This Act takes effect September 1, 2017.

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