



132nd MAINE LEGISLATURE

LD 82**LR 39(01)**

An Act to Amend the Workers' Compensation Laws by Extending Indefinitely the Presumption Applying to Law Enforcement Officers, Corrections Officers, E-9-1-1 Dispatchers, Firefighters and Emergency Medical Services Persons Diagnosed with Post-traumatic Stress Disorder

Preliminary Fiscal Impact Statement for Original Bill

Sponsor: Rep. Mathieson of Kittery**Committee: Labor****Fiscal Note Required: Yes**

Preliminary Fiscal Impact Statement

Potential State Mandate - Unfunded
Potential current biennium cost increase - All funds

State Mandates

Required Activity

Making permanent the requirement that shifts the burden of proof that a law enforcement officer, firefighter, emergency medical services worker, corrections officer or E-9-1-1 dispatcher diagnosed as having post-traumatic stress disorder by a psychiatrist or psychologist developed that condition as a result of work stress from the claimant to the employer and/or the employer's insurer may continue to necessitate a more vigorous and costly legal defense by municipalities and counties and potentially increase the number of cases lost.

Unit Affected

Municipality
County

Local Cost

Significant
statewide

The required local activities in this bill may represent a state mandate pursuant to the Constitution of Maine. If the bill does require a local unit of government to expand or modify its activities so as to necessitate additional expenditures from local revenue, the state mandate provisions of the Constitution of Maine require either: (1) General Fund appropriations be provided to fund at least 90% of any additional necessitated local costs of the mandate; or (2) a Mandate Preamble be added to the bill and two-thirds of the members of each House vote to exempt the mandate from the funding requirement. If the bill does represent a state mandate and neither one of these actions occurs, the local units of government will not be required to implement the mandated activities.

Fiscal Detail and Notes

This legislation may also result in additional costs to the State as a direct reimbursement employer and to the Department of Public Safety and the Department of Corrections associated with increased payments of workers' compensation benefits and legal and administrative expenses. The impact will depend on actual experience.