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Legislative Document

No. 467

H.P. 343

House of Representatives, February 16, 2021

**An Act To Support E-9-1-1 Dispatchers and Corrections Officers
Diagnosed with Post-traumatic Stress Disorder**

Received by the Clerk of the House on February 11, 2021. Referred to the Committee on Labor and Housing pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

A handwritten signature in cursive script that reads "R B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative DILLINGHAM of Oxford.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 39-A MRSA §201, sub-§3-A, ¶B,** as enacted by PL 2017, c. 294, §2, is
3 amended to read:

4 B. The employee is a law enforcement officer, corrections officer, E-9-1-1 dispatcher,
5 firefighter or emergency medical services person and is diagnosed by an allopathic
6 physician or an osteopathic physician licensed under Title 32, chapter 48 or chapter 36,
7 respectively, with a specialization in psychiatry or a psychologist licensed under Title
8 32, chapter 56 as having post-traumatic stress disorder that resulted from work stress,
9 that the work stress was extraordinary and unusual compared with that experienced by
10 the average employee and the work stress and not some other source of stress was the
11 predominant cause of the post-traumatic stress disorder, in which case the
12 post-traumatic stress disorder is presumed to have arisen out of and in the course of the
13 worker's employment. This presumption may be rebutted by clear and convincing
14 evidence to the contrary. For purposes of this paragraph, "law enforcement officer,"
15 "corrections officer," "firefighter" and "emergency medical services person" have the
16 same meaning as in section 328-A, subsection 1. For the purposes of this paragraph,
17 "E-9-1-1 dispatcher" means a person who receives calls made to the E-9-1-1 system
18 and dispatches emergency services. "E-9-1-1 dispatcher" includes an emergency
19 medical dispatcher as defined in Title 32, section 85-A, subsection 1, paragraph D.

20 By January 1, 2022, the board shall submit a report to the joint standing committee of
21 the Legislature having jurisdiction over labor matters that includes an analysis of the
22 number of claims brought under this paragraph, the portion of those claims that resulted
23 in a settlement or award of benefits and the effect of the provisions of this paragraph
24 on costs to the State and its subdivisions. The Department of Administrative and
25 Financial Services, Bureau of Human Resources and the Department of Public Safety
26 shall assist the board in developing the report, and the board shall seek the input of an
27 association, the membership of which consists exclusively of counties, municipalities
28 and other political or administrative subdivisions, in the development of the report.

29 This paragraph is repealed October 1, 2022.

30 **SUMMARY**

31 This bill adds corrections officers and E-9-1-1 dispatchers to the list of employees for
32 whom there is a rebuttable presumption under the laws governing workers' compensation
33 that when the employee is diagnosed by a licensed psychiatrist or psychologist as having
34 post-traumatic stress disorder resulting from work stress that was extraordinary and
35 unusual, the post-traumatic stress disorder is presumed to have arisen out of and in the
36 course of the worker's employment.