



March 2, 2021

LD 467 in Opposition

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

Testimony from
Tony Payne
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Senator Rafferty, Rep. Sylvester and members of the Labor & Housing Committee:

My name is Tony Payne. I'm the Senior Vice President of External Affairs for the MEMIC Group, the largest workers' compensation insurance company in Maine serving more than 18,000 employers and their estimated 200,000 employees in the public, private and non-profit sectors. They are located in all 16 counties and in every legislative district. I wish to offer written testimony in opposition to LD 467.

We believe that there are clear and compelling examples of our valued emergency responders and law enforcement officers in which horrific sights and inhuman acts have caused mental anguish requiring professional mental health services and sometimes lost time from work. We are grateful to every person who gives their time and talent to assure public safety and our well-being as their career choice, particularly with the knowledge that they will confront tragedies beyond imagination.

That said, we believe it is unfair to employers to apply a blanket of benefits under the rule of presumption when the standard applied is subjective. In our opinion, the current law under Section 201(1) (AOE and COE) already covers meritorious claims, and that a special presumption is not necessary.

§201. Entitlement to compensation and services generally

1. Entitlement. If an employee who has not given notice of a claim of common law or statutory rights of action, or who has given the notice and has waived the claim or rights, as provided in section 301, receives a personal injury arising out of and in the course of employment [AOE and COE] or is disabled by occupational disease, the employee must be paid compensation and furnished medical and other services by the employer who has assented to become subject to this Act.

If the sought-after presumption in this bill were applied to other occupations outside the public sector, every health professional, tow truck driver and care provider would be eligible for benefits if they were witnesses to either accidents or persistent tragedies such as the current pandemic. The remedy for both public and private sector employees lies in Section 201, not in the extension of a presumption.

We urge you to oppose this proposed measure.

Thank you.