

Sub. H.B. 27
LSC 132 0003-5

_____ moved to amend as follows:

- In line 2 of the title, after "4123.01," insert "4123.026,;" 1
- after "4123.343," insert "4123.46," 2
- In line 20, after "4123.01," insert "4123.026,;" after 3
- "4123.343," insert "4123.46," 4
- In line 955, strike through ". As used in division 5
- (A)(1)(a)(i)" 6
- Strike through line 956 7
- In line 957, strike through "section 2935.01 of the Revised 8
- Code." and insert an underlined semicolon 9
- In line 958, strike through ", whether paid or volunteer, of 10
- a" 11
- In line 959, strike through "lawfully constituted fire 12
- department." and insert an underlined semicolon 13
- In line 960, strike through "first responders, emergency 14
- medical" 15
- Strike through lines 961 and 962 16
- In line 963, strike through "volunteer," and insert 17
- "emergency medical workers" 18
- In line 964, strike through "pursuant to Chapter 4765. of 19

the" 20

In line 965, strike through "Revised Code" 21

In line 1118, strike through "where" and insert "as follows:" 22

(a) Where" 23

In line 1120, strike through "or where" and insert ";" 24

(b) Where" 25

Between lines 1123 and 1124, insert: 26

"(c) Where the claimant is a peace officer, firefighter, or emergency medical worker and is diagnosed with post-traumatic stress disorder that has arisen from the claimant's employment as a peace officer, firefighter, or emergency medical worker." 27
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Between lines 1214 and 1215, insert: 31

"(O) "Peace officer" has the same meaning as in section 2935.01 of the Revised Code. 32
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(R) "Firefighter" means a firefighter, whether paid or volunteer, of a lawfully constituted fire department. 34
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(S) "Emergency medical worker" means a first responder, emergency medical technician-basic, emergency medical technician-intermediate, or emergency medical technician-paramedic, certified under Chapter 4765. of the Revised Code, whether paid or volunteer. 36
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Sec. 4123.026. ~~(A)~~ The administrator of workers' 41
compensation, or a self-insuring public employer for the peace 42
officers, firefighters, and emergency medical workers employed by 43
or volunteering for that self-insuring public employer, shall pay 44
the costs of conducting post-exposure medical diagnostic services, 45
consistent with the standards of medical care existing at the time 46

of the exposure, to investigate whether an injury or occupational 47
disease was sustained by a peace officer, firefighter, or 48
emergency medical worker when coming into contact with the blood 49
or other body fluid of another person in the course of and arising 50
out of the peace officer's, firefighter's, or emergency medical 51
worker's employment, or when responding to an inherently dangerous 52
situation in the manner described in, and in accordance with the 53
conditions specified under, division (A)(1)(a) of section 4123.01 54
of the Revised Code, through any of the following means: 55

~~(1)(A)~~ Splash or spatter in the eye or mouth, including when 56
received in the course of conducting mouth-to-mouth resuscitation; 57

~~(2)(B)~~ A puncture in the skin; 58

~~(3)(C)~~ A cut in the skin or another opening in the skin such 59
as an open sore, wound, lesion, abrasion, or ulcer. 60

~~(B) As used in this section:~~ 61

~~(1) "Peace officer" has the same meaning as in section 62
2935.01 of the Revised Code. 63~~

~~(2) "Firefighter" means a firefighter, whether paid or 64
volunteer, of a lawfully constituted fire department. 65~~

~~(3) "Emergency medical worker" means a first responder, 66
emergency medical technician basic, emergency medical 67
technician intermediate, or emergency medical 68
technician paramedic, certified under Chapter 4765. of the Revised 69
Code, whether paid or volunteer." 70~~

Between lines 1510 and 1511, insert: 71

"**Sec. 4123.46.** (A)(1) Except as provided in division (A)(2) 72
of this section, the bureau of workers' compensation shall 73
disburse the state insurance fund to employees of employers who 74

have paid into the fund the premiums applicable to the classes to 75
 which they belong when the employees have been injured in the 76
 course of their employment, wherever the injuries have occurred, 77
 and provided the injuries have not been purposely self-inflicted, 78
 or to the dependents of the employees in case death has ensued. 79

(2) As long as injuries have not been purposely 80
 self-inflicted, the bureau shall disburse the surplus fund created 81
 under section 4123.34 of the Revised Code to off-duty peace 82
 officers, firefighters, and emergency medical ~~technicians, and~~ 83
~~first responders~~ workers, or to their dependents if death ensues, 84
 who are injured while responding to inherently dangerous 85
 situations that call for an immediate response on the part of the 86
 person, regardless of whether the person was within the limits of 87
 the person's jurisdiction when responding, on the condition that 88
 the person responds to the situation as the person otherwise would 89
 if the person were on duty in the person's jurisdiction. 90

As used in division (A)(2) of this section, "peace officer," 91
 "firefighter," and "emergency medical ~~technician,~~" "~~first~~ 92
~~responder,~~ worker" and "~~jurisdiction~~" have the same meanings as in 93
 section 4123.01 of the Revised Code. 94

(B) All self-insuring employers, in compliance with this 95
 chapter, shall pay the compensation to injured employees, or to 96
 the dependents of employees who have been killed in the course of 97
 their employment, unless the injury or death of the employee was 98
 purposely self-inflicted, and shall furnish the medical, surgical, 99
 nurse, and hospital care and attention or funeral expenses as 100
 would have been paid and furnished by virtue of this chapter under 101
 a similar state of facts by the bureau out of the state insurance 102
 fund if the employer had paid the premium into the fund. 103

If any rule or regulation of a self-insuring employer 104

provides for or authorizes the payment of greater compensation or 105
more complete or extended medical care, nursing, surgical, and 106
hospital attention, or funeral expenses to the injured employees, 107
or to the dependents of the employees as may be killed, the 108
employer shall pay to the employees, or to the dependents of 109
employees killed, the amount of compensation and furnish the 110
medical care, nursing, surgical, and hospital attention or funeral 111
expenses provided by the self-insuring employer's rules and 112
regulations. 113

(C) Payment to injured employees, or to their dependents in 114
case death has ensued, is in lieu of any and all rights of action 115
against the employer of the injured or killed employees." 116

In line 3838, after "4123.01," insert "4123.026, "; after 117
"4123.343," insert "4123.46," 118

The motion was _____ agreed to.

SYNOPSIS

Post-traumatic stress disorder 119

R.C. 4123.01, 4123.026, and 4123.46 120

Makes a peace officer, firefighter, or emergency medical 121
worker who is diagnosed with post-traumatic stress disorder 122
eligible to receive compensation and benefits under Ohio's 123
Workers' Compensation Law under certain circumstances, regardless 124
of whether the person suffers an accompanying physical injury. 125