June 3, 2019

The Honorable Scott Oelslager, Chair
Finance Committee
Ohio House of Representatives
77 S. High Street, 13th Floor
Columbus, OH 43215

Re: HB 80 BWC Budget

Dear Chairman Oelslager:

On behalf of the Ohio Township Association (OTA), I am writing to express our opposition to a provision in House Bill 80 that would allow peace officers, firefighters, and emergency medical workers diagnosed with PTSD to be eligible workers’ compensation, regardless of whether the person suffers an accompanying physical injury.

This initiative is a drastic departure from the current and past state of the law that requires a mental condition, such as PTSD, to arise from or, at the very least, be associated with some physical harm experienced by a worker. HB 80 not only expands PTSD coverage to those cases not related to physical injury, but also marks a significant change to the types of claims eligible under Ohio’s workers’ compensation law. The OTA believes there could be significant cost implications with this change. Further, without cost projections and estimates on increased claims, we cannot determine the full impact HB 80 will have on townships and other public and private entities.

Once a fundamental pillar of the worker’s compensation system, like the physical injury requirement, is compromised, the potential inroads into the program are endless. Additionally, there are no additional parameters around the coverage of PTSD, such as if claims must be work-related, tied to a single incident, or if there are time limits for coverage. House Bill 80 does not consider these guardrails that may be appropriate.

The OTA is also concerned about singling out PTSD. Selecting one mental condition to the exclusion of all others – much like selecting only a few occupations – will undoubtedly provoke fairness arguments and equal protection challenges in future legislative or judicial actions.

Therefore, the OTA opposes this provision due to concerns with cost and the difficulty in putting parameters around such a policy change. The provision in HB 80 would be better suited for standalone legislation to fully assess the implications of this change.

Thank you for your consideration of our position. Should you have any questions or concerns about our position, please do not hesitate to contact me or Marisa Myers, OTA Director of Governmental Affairs, at 614-863-0045.

Sincerely,

Matthew J. DeTemple
Executive Director

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