



**Senate Bill 384**  
**Interested Party/Proponent Testimony**  
**General Government and Agency Review Committee**  
**December 8, 2020**

Chairman Schuring, Vice Chairman Rulli, Ranking Member O'Brien, and members of the General Government and Agency Review Committee, my name is Sue Roudebush and I serve as Counsel for the National Federation of Independent Business (NFIB) in Ohio. I am a Partner at the law firm of Bricker & Eckler LLP where I focus my practice in the areas of workers' compensation and OSHA. I am here testifying before you on behalf of NFIB's 22,000 governing members in Ohio to express interest in Senate Bill 384, which would create the State Post-Traumatic Stress Disorder (PTSD) Coverage Fund to provide compensation and benefits to first responders, as defined in this bill, for PTSD arising from employment without an accompanying physical injury.

NFIB is an interested party to SB 384 because it does not directly impact its members. However, we are very supportive of creating a separate fund that removes the coverage from within the Ohio Bureau of Workers' Compensation system (BWC). NFIB has been diligently working for the past five years to assist with creating a solution that cares for our first responders' mental health needs while protecting the integrity of the BWC fund that has provided treatment and compensation to individuals with physical injuries for the past 100 years.

NFIB sincerely appreciates the unique challenges faced by first responders every day. And, that is why they have been working to find a solution outside of the BWC that cares for these individuals who develop PTSD without an accompanying physical injury. By moving the coverage outside of the BWC, a more reliable, and

constitutionally sound, benefit is created for first responders. SB 384 will withstand equal protection arguments - something past bills could not do.

Additionally, if the PTSD Fund is housed outside of the BWC, there is more flexibility to address coverage and rule changes as it does not threaten the integrity of the workers' compensation fund, nor do first responders have to jump through the hoops of the administrative challenges, resulting in benefits in their hands sooner. As Sen. Hackett noted in his testimony, we want to make it easier for first responders to qualify for benefits when they are diagnosed with PTSD resulting from their employment. SB 384 does that.

NFIB strongly believes creating a separate fund to provide compensation and benefits to first responders for PTSD arising from employment without an accompanying physical injury is the right solution.

In conclusion, NFIB feels the legislation before you will properly protect first responders while maintaining the integrity of the workers' compensation system as well. This is a "win-win" scenario for all involved. Therefore, NFIB respectfully requests that the legislature carefully consider the separate fund solution found in SB 384.

Thank you for your time and the opportunity to testify regarding this bill. I am happy to answer any questions the committee members may have at this time.