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OHIO LEGISLATIVE SERVICE COMMISSION

Office of Research
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Legislative Budget
Office

H.B. 559
135th General Assembly

Bill Analysis

Version: As Introduced

Primary Sponsor: Rep. Abdullahi

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SUMMARY

- Makes a peace officer, firefighter, or emergency medical worker who is diagnosed with a psychiatric condition eligible to receive compensation and benefits under Ohio's Workers' Compensation Law for up to one year, regardless of whether the person suffers an accompanying physical injury.
- Eliminates the State Post-Traumatic Stress Fund.

DETAILED ANALYSIS

Workers' compensation coverage for psychiatric conditions

Under the bill, a peace officer, firefighter, or emergency medical worker who is diagnosed with a psychiatric condition, received in the course of and arising out of the person's employment as a peace officer, firefighter, or emergency medical worker, is eligible to receive compensation and benefits under Ohio's Workers' Compensation Law for up to a year beginning on the date the compensation or benefit payments start, regardless of whether the condition is connected to a compensable physical injury. Currently, no employee is eligible for compensation or benefits under Ohio Workers' Compensation Law for a psychiatric condition unless one of the following applies:

- The employee's psychiatric conditions have arisen from an injury or occupational disease sustained by that employee;
- The employee's psychiatric conditions have arisen from sexual conduct in which the employee was forced to engage or participate by threat of physical harm.¹

¹ R.C. 4123.01(C) and 4123.87, with conforming changes in R.C. 2929.14, 2941.1414, 4123.01(A), 4123.026, and 4123.46.

State Post-Traumatic Stress Fund

The bill eliminates the State Post-Traumatic Stress Fund. The fund is administered by the Director of Budget and Management and is intended for the following purposes:

- Paying compensation for lost wages to a public safety officer who is disabled by post-traumatic stress disorder (PTSD) without an accompanying physical injury received in the course of, and arising out of, employment as a public safety officer;
- Paying for medical, nurse, therapy, and hospital services and medicines required to treat the public safety officer's PTSD without an accompanying physical injury;
- Paying administrative costs associated with providing the lost wage compensation and the medical benefits listed above.

However, current law specifies that no payments can be made from the fund and no person is eligible to file a claim. No liability accrues to any state party with respect to the fund.²

Definitions

Under continuing law, a "peace officer" means any of the following:

1. A sheriff or deputy sheriff;
2. A marshal or deputy marshal;
3. A member of the organized police department of any municipal corporation, including a member of the organized police department of a municipal corporation in an adjoining state serving in Ohio;
4. A member of a police force employed by a metropolitan housing authority;
5. A member of a police force employed by a regional transit authority;
6. A state university law enforcement officer;
7. An enforcement agent of the Department of Public Safety;
8. An employee of the Department of Taxation to whom investigation powers have been delegated under the Cigarette Tax Law;
9. An employee of the Department of Natural Resources who is a natural resources law enforcement staff officer, a forest-fire investigator, a natural resources officer, or a wildlife officer;
10. A person designated to perform law enforcement duties in a park district or conservancy district or by a park commission;
11. A veterans' home police officer;
12. A special police officer employed by a port authority;

² R.C. 126.65, repealed.

13. A township police constable;
14. A police officer of a township or joint police district;
15. A special police officer employed by a municipal corporation at a municipal airport or certain other municipal air navigation facilities;
16. The House of Representatives Sergeant at Arms, if the person has arrest authority, or an assistant House of Representatives Sergeant at Arms;
17. The Senate Sergeant at Arms or an assistant Senate Sergeant at Arms;
18. Certain Bureau of Criminal Identification and Investigation employees or officers;
19. A State Fire Marshal law enforcement officer;
20. A gaming agent employed by the Ohio Casino Control Commission to enforce the state's casino gaming laws;
21. The Superintendent and troopers of the State Highway Patrol, for specified purposes.³

For purposes of the bill, an “emergency medical worker” means any of the following persons, whether the person is paid or a volunteer, so long as the person is certified under Ohio law:

- A first responder;
- An emergency medical technician-basic;
- An emergency medical technician-intermediate;
- An emergency medical technician-paramedic.⁴

HISTORY

Action	Date
Introduced	05-15-24

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³ R.C. 4123.01(Q), by reference to R.C. 2935.01, not in the bill.

⁴ R.C. 4123.01(S).