



January 28, 2020

The Honorable Tom Brinkman  
Chairman, House Insurance Committee  
Ohio House of Representatives  
77 S. High St., 11<sup>th</sup> floor  
Columbus, Ohio 43215

**RE: House Bill 308 – OMA Opponent Written Testimony**

Dear Chairman Brinkman:

Throughout the years, the OMA has consistently advocated for an efficient and effective workers' compensation system that benefits workers, employers, and the economy of the state.

House Bill 308 would allow police, fire, and emergency medical workers to receive workers' compensation if that worker has been diagnosed with post-traumatic stress disorder (PTSD) regardless if there is an accompanying physical injury.

The Ohio workers' compensation system was designed to compensate injured workers' physical injuries/illnesses and any mental conditions that arise as a result of such physical injuries/illnesses. The OMA has a history of opposing proposals that would permit PTSD compensation in cases in which there is no associated physical injury or illness. The adoption of a mental-only diagnosis would mark a significant change to the Ohio workers' compensation system.

Additionally, we are concerned about the potential expansion of workers' compensation beyond this provision's narrow target of first responders. We recognize that peace officers, firefighters, and emergency medical workers experience traumatic events. However, they are not alone in their willingness to undertake dangerous and essential jobs. If we erode the physical injury requirement for peace officers, firefighters, and emergency medical workers, it may be difficult to justify not doing the same for other professionals who seek equal treatment.

Once a fundamental parameter of the workers' compensation system – like the physical injury requirement – is compromised, the potential inroads into the program are endless. The result will be increased workers' compensation costs for public and private employers alike. The implications of those cost increases will be felt across the board and will impact Ohio's business climate. The increased costs could also affect our public employers' abilities to provide essential public safety functions.

In addition, given that mental health benefits have parity with physical health benefits under health insurance plans, it is important to have a broader conversation about where PTSD arising apart from a workplace physical injury/illness is most effectively and appropriately financed –

private health insurance, a special workers' compensation insurance PTSD fund outside of the current system, or a completely different model. Recently there have been many conversations amongst interested parties about how to provide first responders appropriate and comprehensive PTSD treatment without eroding the fundamental parameter of workers' compensation – the physical injury requirement.

The OMA would urge the committee to not pass House Bill 308.

Sincerely,



Rob Brundrett  
Director, Public Policy Services