

HB 308 Senate Sponsor Testimony

Representative Tom Patton

Thank you Chairman Schuring, Vice Chair Rulli, Ranking Member O'Brien, and the General Government and Agency Review Committee for allowing me to testify in support of House Bill 308.

House Bill 308 would make a peace officer, firefighter, and emergency medical worker diagnosed with post-traumatic stress disorder arising from employment eligible for compensation and benefits under Ohio's Workers' Compensation Law, no matter if the person suffers an accompanying injury or not. This bill prohibits a claimant from receiving compensation or benefits under the Workers' Compensation Law for PTSD at the same time as the claimant is receiving a disability benefit from a state retirement system for that injury.

If you recall, this bill is very similar to what was included in the House version of the BWC budget (House Bill 80) that passed the House 56-38. Unfortunately, the PTSD portion of the bill was removed from the final version.

In 2013, the Supreme Court of Ohio determined in *Armstrong v. John R. Jurgensen Company* that an individual seeking workers' compensation for a post-traumatic stress disorder claim was ineligible to receive benefits if he or she did not have a compensable physical injury that caused their PTSD. While I greatly respect and admire the legal judgment and knowledge of our Supreme Court, I believe that this verdict could have unintended consequences for police officers, firefighters, and emergency medical workers in our communities who have witnessed horrible traumatic events that can potentially leave them mentally scarred.

All too frequently, our hard-working and dedicated public safety personnel witness scenes of violence, carnage, death, and serious injury, as a regular part of their service to the people of Ohio. Exposure to these environments can cause lasting psychological impairment for anyone with years of training and exposure to stressful situations. House Bill 308 will provide deserving avenues of relief for first responders who have bravely served the public and suffer from PTSD as a result of performing their duties.

An ongoing challenge is that first responders do not often take advantage of help through their employee assistance programs for PTSD related problems. Sometimes people are able to recover from acute stress disorder using their own coping methods and support from friends and family. However, recovery may be more difficult for some first responders, as they are exposed to major traumatic events and to chronically stressful situations. Unfortunately, there exists a real stigma around seeking help for emotional problems. Early detection of symptoms and treatment can significantly decrease short-term problems, but first responders often wait until it is too late to seek professional help.

In this field of work, many consider it a sign of weakness and believe that negative perceptions will result from seeking help for conditions of mental trauma. Under these circumstances, first responders may revert to alcohol or drug use or engage in other forms of maladaptive coping that can affect them on the job and influence how they interact with others. Untreated PTSD symptoms also contribute to the significantly high rates of depression and suicide, particularly among police officers. Recently, a young Cleveland police officer took her own life just 24 hours after witnessing a horrific crime scene.

According to the Coalition for Healthy Communities, experiencing such horrific events with severe or repeated exposure can cause serious PTSD symptoms such as increased anxiety, sleeplessness, anger, substance abuse, relationship problems, suicidal thoughts, and the inability to perform a job. These brave men and women who serve our families should not be left to deal with such illnesses on their own simply because Ohio law does not consider these illnesses comparable to a physical injury.

Several states have passed similar legislation to include coverage for PTSD diagnosed among first responders. In Connecticut, inspired in part by the plight of Newtown, police officer Thomas Bean was nearly fired after using up his accumulated sick and worker's compensation time while battling PTSD after responding to the shootings at Sandy Hook elementary school.

Since I began work on this issue roughly nine years ago, I have spoken with police officers, firefighters, EMS workers, and their respective representing organizations from around the state who have shared personal experiences that convinced me this legislation was absolutely necessary. Several of these individuals have expressed a strong interest in coming to Columbus to share their testimony with the members of this committee.

Thank you for your time and consideration. I hope you will join me in supporting House Bill 308. At this time, I would be happy to answer any questions.