



Bob Hackett

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Ohio Senate

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House Bill 308
Senate General Government and Agency Review Committee
Chairman Schering
Opponent Testimony – Senator Bob Hackett
November 18, 2020

Thank you Chairman Schuring, Vice Chairman Rulli, Ranking Member O'Brien and members of the General Government and Agency Review Committee for allowing me to speak in opposition to HB 308. HB 308 is concerning workers' compensation and disability retirement for peace officers, firefighters, and emergency medical workers diagnosed with post-traumatic stress disorder arising from employment without an accompanying physical injury.

I would like to start off by saying I am listed as an opponent of the bill, but, I am not opposed to first responders having PTSD without an accompanying injury. I am opposed to the bill being in BWC for two main reasons, first, it does not provide equal protection to all employees. How do we give this protection to some professions, but not all? First responders are not the only profession who experience traumatic events on the job.

The second reason is, how can we cover one area of mental health but not other key areas of mental health?

My solution in a bill that I dropped this week would be to use BWC or IC as a model to set up a fund through a different agency, similar to the Children with Medical Handicaps fund housed in the Department of Health. I first recommended the Department of Public Safety, but it could be in the Department of Mental Health and Addiction Services.

By moving the coverage outside of BWC, we are giving a benefit to a specific group as we have many times in the past and "equal protection under the law" does not come into play.

A first responder diagnosed with PTSD without an accompanying injury will be entitled to receive loss time compensation of 2/3 their weekly wage up to the statewide average weekly wage for no longer than one year. If the condition becomes permanent, the first responder employee can file for long-term disability through their pension plan.

The first responder diagnosed with PTSD will be entitled to receive medical benefits paid from the fund for no longer than one year.

A first responder is ineligible for benefits if the individual is receiving disability benefits from an Ohio pension or SSI-D.

Enable the outside agency to enact rules for the administration of the fund including; what treatments are covered by the fund; what prescriptions are covered by the fund; provider eligibility, enrollment, and reimbursement; claimant enrollment procedures; claims processing and administrative cost.

We want to make sure it will be easier for the first responder to qualify for the benefit, diagnosed with PTSD by a psychologist/psychiatrist caused by his employment and not accompanied by a physical injury.

Once again, Chairman Schuring, Vice Chairman Rulli, Ranking Member O'Brien and members of the Senate General Government and Agency Review Committee thank you for the opportunity to speak in opposition of HB 308, I would be happy to answer any questions.