

FINAL BILL REPORT

SHB 2758

C 234 L 20
Synopsis as Enacted

Brief Description: Recognizing posttraumatic stress disorders of 911 emergency dispatch personnel.

Sponsors: House Committee on Labor & Workplace Standards (originally sponsored by Representatives Corry, Pettigrew, Chandler, Davis, Eslick, McCaslin, Dent, Morgan, Gildon, Lekanoff and Pollet).

House Committee on Labor & Workplace Standards
House Committee on Appropriations
Senate Committee on Labor & Commerce

Background:

Under the state's industrial insurance laws, a worker who, in the course of employment, is injured or suffers disability from an occupational disease is entitled to certain benefits. An "occupational disease" is one that arises naturally and proximately out of employment.

Claims based on mental conditions or mental disabilities caused by stress specifically do not fall within the definition of occupational disease. Rules adopted by the Department of Labor and Industries (Department) provide examples of excluded conditions, including conditions or disabilities resulting from:

- relationships with supervisors, coworkers, or the public;
- workload pressures; or
- objective, or subjective, stresses of employment.

Repeated exposure to traumatic events, none of which are a single traumatic event, is not an industrial injury or an occupational disease. Stress resulting from exposure to a single traumatic event, such as actual or threatened death or life-threatening injury, may constitute an industrial injury. The exposure may be from directly experiencing the event, witnessing it, or having extreme exposure to aversive details of the traumatic event.

The rule excluding claims based on mental conditions or mental disabilities caused by stress does not apply to occupational disease claims resulting from posttraumatic stress disorders (PTSD) of certain firefighters and law enforcement officers. For the exemption to apply to firefighters and law enforcement officers hired after June 7, 2018, the firefighter or law

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enforcement officer must have, as a condition of employment, submitted to a psychological exam that ruled out PTSD from preemployment exposures. If the employer does not provide the exam, the exemption applies.

Summary:

The rule excluding claims based on mental conditions or mental disabilities caused by stress does not apply to PTSD claims of public safety telecommunicators who receive calls for assistance and dispatch emergency services. For public safety telecommunicators hired after the effective date of the act, the exemption applies only if the individual submitted to a psychological exam that ruled out the presence of PTSD from preemployment exposures. If the employer does not provide the exam, the exemption applies. "Public safety telecommunicators" are individuals who receive and respond to telephone or other electronic requests for emergency assistance and dispatch appropriate emergency responders.

Votes on Final Passage:

House	97	0
Senate	48	0

Effective: June 11, 2020