

CERTIFICATION OF ENROLLMENT

SUBSTITUTE HOUSE BILL 2758

66th Legislature
2020 Regular Session

Passed by the House February 18, 2020
Yeas 97 Nays 0

**Speaker of the House of
Representatives**

Passed by the Senate March 6, 2020
Yeas 48 Nays 0

President of the Senate

Approved

Governor of the State of Washington

CERTIFICATE

I, Bernard Dean, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **SUBSTITUTE HOUSE BILL 2758** as passed by the House of Representatives and the Senate on the dates hereon set forth.

Chief Clerk

FILED

**Secretary of State
State of Washington**

SUBSTITUTE HOUSE BILL 2758

Passed Legislature - 2020 Regular Session

State of Washington 66th Legislature 2020 Regular Session

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

READ FIRST TIME 02/07/20.

1 AN ACT Relating to recognizing posttraumatic stress disorders of
2 911 emergency dispatch personnel; and amending RCW 51.08.142.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 51.08.142 and 2018 c 264 s 2 are each amended to
5 read as follows:

6 (1) Except as provided in subsection (2) of this section, the
7 department shall adopt a rule pursuant to chapter 34.05 RCW that
8 claims based on mental conditions or mental disabilities caused by
9 stress do not fall within the definition of occupational disease in
10 RCW 51.08.140.

11 (2) (a) Except as provided in (b) and (c) of this subsection, the
12 rule adopted under subsection (1) of this section shall not apply to
13 occupational disease claims resulting from posttraumatic stress
14 disorders of firefighters as defined in RCW 41.26.030(~~((+16))~~) (17)
15 (a), (b), (c), and (h) and firefighters, including supervisors,
16 employed on a full-time, fully compensated basis as a firefighter of
17 a private sector employer's fire department that includes over fifty
18 such firefighters, and law enforcement officers as defined in RCW
19 41.26.030(~~((+18))~~) (19) (b), (c), and (e), and public safety
20 telecommunicators who receive calls for assistance and dispatch
21 emergency services.

1 (b) For firefighters as defined in RCW 41.26.030(~~(16)~~) (17)
2 (a), (b), (c), and (h) and firefighters, including supervisors,
3 employed on a full-time, fully compensated basis as a firefighter of
4 a private sector employer's fire department that includes over fifty
5 such firefighters, and law enforcement officers as defined in RCW
6 41.26.030(~~(18)~~) (19) (b), (c), and (e) hired after June 7, 2018,
7 and public safety telecommunicators hired after the effective date of
8 this section, (a) of this subsection only applies if the firefighter
9 or law enforcement officer or public safety telecommunicators, as a
10 condition of employment, has submitted to a psychological examination
11 administered by a psychiatrist licensed in the state of Washington
12 under chapter 18.71 RCW or a psychologist licensed in the state of
13 Washington under chapter 18.83 RCW that ruled out the presence of
14 posttraumatic stress disorder from preemployment exposures. If the
15 employer does not provide the psychological examination, (a) of this
16 subsection applies.

17 (c) Posttraumatic stress disorder for purposes of this subsection
18 (2) is not considered an occupational disease if the disorder is
19 directly attributed to disciplinary action, work evaluation, job
20 transfer, layoff, demotion, termination, or similar action taken in
21 good faith by an employer.

22 (d) "Public safety telecommunicators" means individuals who
23 receive and respond to telephone or other electronic requests for
24 emergency assistance, such as law enforcement, fire, and medical
25 services, and dispatch appropriate emergency responders.

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