

# STATE OF NEW YORK

5292

2019-2020 Regular Sessions

## IN SENATE

April 23, 2019

Introduced by Sen. GOUNARDES -- read twice and ordered printed, and when printed to be committed to the Committee on Labor

AN ACT to amend the workers' compensation law, in relation to benefits for police officers, firefighters, and other emergency personnel diagnosed with PTSD

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Subdivision 3 of section 10 of the workers' compensation  
2 law is amended by adding a new paragraph (c) to read as follows:

3 (c) Where a police officer, firefighter, emergency medical technician,  
4 paramedic, emergency dispatcher or other person certified to provide  
5 medical care in emergencies is diagnosed by a psychiatrist or psychol-  
6 ogist to have post-traumatic stress disorder, it shall be presumed to  
7 have been incurred during service in the line of duty and shall be  
8 compensable, unless it is shown by a preponderance of the evidence that  
9 the post-traumatic stress disorder was caused by nonservice-connected  
10 risk factors or nonservice-connected exposure. Such person who is diag-  
11 nosed with post-traumatic stress disorder within three years of the last  
12 active date of employment as a police officer, firefighter, emergency  
13 medical technician, paramedic, emergency dispatcher or other person  
14 certified to provide medical care in emergencies shall be eligible for  
15 benefits under this subdivision.

16 § 2. This act shall take effect immediately.

EXPLANATION--Matter in italics (underscored) is new; matter in brackets  
[-] is old law to be omitted.

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