STATE OF NEW YORK

755

2025-2026 Regular Sessions

IN SENATE

(Prefiled)

January 8, 2025

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

AN ACT to amend the workers' compensation law, in relation to claims for mental injury premised upon extraordinary work-related stress; and to amend a chapter of the laws of 2024 amending the workers' compensation law relating to claims for mental injury premised upon extraordinary work-related stress, as proposed in legislative bills numbers S. 6635 and A. 5745, in relation to the effectiveness thereof

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

Section 1. Paragraph (b) of subdivision 3 of section 10 of the workers' compensation law, as amended by a chapter of the laws of 2024 amending the workers' compensation law relating to claims for mental injury premised upon extraordinary work-related stress, as proposed in legislative bills numbers S. 6635 and A. 5745, is amended and two new paragraphs (c) and (d) are added to read as follows:

(b) Where a [~~worker~~] **police officer or firefighter subject to section thirty of this article, or emergency medical technician, paramedic, or other person certified to provide medical care in emergencies, or emergency dispatcher** files a claim for mental injury premised upon extraordinary work-related stress incurred [~~at work~~] **in a work-related emergency**, the board may not disallow the claim upon a factual finding that the stress was not greater than that which usually occurs in the normal work environment.

(c) The board may not disallow a claim by a covered employee upon a factual finding that the stress was not greater than that which usually occurs in the normal work environment where a claim for post-traumatic stress disorder (PTSD), acute stress disorder or major depressive disorder resulting from work-related stress is filed upon submission of medical evidence based on the criteria contained in the version of the

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

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Diagnostic and Statistical Manual of Mental Disorders in effect on the date of accident, or as otherwise adopted by the board, provided that such adoption shall be no more stringent than the current or immediately preceding version of the Diagnostic and Statistical Manual of Mental Disorders. Such covered employee must demonstrate that such disorder arose out of extraordinary work-related stress attributable to a distinct work-related event or events directly related to the employment and occurring during the performance of the employee's job duties.

(d) Nothing in paragraphs (b) and (c) of this subdivision shall apply to a claim for mental injury due to a work-related physical injury.

§ 2. Section 2 of a chapter of the laws of 2024 amending the workers' compensation law relating to claims for mental injury premised upon extraordinary work-related stress, as proposed in legislative bills numbers S. 6635 and A. 5745, is amended to read as follows:

§ 2. This act shall take effect on the [~~first of January next succeeding the date on which~~] one hundred eightieth day after it shall have become a law.

§ 3. This act shall take effect immediately; provided, however, that section one of this act shall take effect on the same date and in the same manner as a chapter of the laws of 2024 amending the workers' compensation law relating to claims for mental injury premised upon extraordinary work-related stress, as proposed in legislative bills numbers S. 6635 and A. 5745, takes effect.