

SB2530



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

SB2530

Introduced 1/28/2020, by Sen. Michael E. Hastings

SYNOPSIS AS INTRODUCED:

820 ILCS 305/29.3 new

Amends the Workers' Compensation Act. Provides that any emergency services personnel, public safety personnel, or individuals licensed as emergency medical services personnel under the Emergency Medical Services (EMS) Systems Act who has been diagnosed by a licensed psychiatrist with post-traumatic stress disorder is entitled to benefits under the Act. Provides that a qualifying individual is not required to demonstrate physical injury to receive benefits under the Act. Requires the Illinois Workers' Compensation Commission to ensure that services provided under the amendatory Act comply with all applicable federal parity regulations including, but not limited to, the Paul Wellstone and Pete Domenici Mental Health Parity and Addiction Equity Act of 2008. Requires emergency services providers and law enforcement agencies to provide employees with educational training related to mental health awareness, prevention, mitigation, and treatment.

LRB101 16066 KTG 65428 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning employment.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Workers' Compensation Act is amended by
5 adding Section 29.3 as follows:

6 (820 ILCS 305/29.3 new)

7 Sec. 29.3. Post-traumatic stress disorder; emergency
8 services personnel.

9 (a) Findings.

10 (1) The General Assembly determines that protecting
11 emergency services and public safety personnel from the
12 harmful impact of post-traumatic stress disorder fulfills
13 an important State interest.

14 (2) According to the American Psychiatric Association,
15 post-traumatic stress disorder affects approximately 3.5%
16 of U.S. adults and an estimated one in 11 people will be
17 diagnosed with post-traumatic stress disorder in their
18 lifetime.

19 (3) Research suggests that 30% of first responders
20 develop behavioral health conditions like post-traumatic
21 stress disorder.

22 (b) Definitions. As used in this Section:

23 "Emergency services personnel" means any employee of an

1 emergency services provider who is engaged in providing
2 firefighting services.

3 "Emergency services provider" means any public employer
4 that employs persons to provide firefighting services.

5 "Law enforcement agency" means any county sheriff,
6 municipal police department, police department established by
7 a university, the Illinois State Police, the Department of
8 Corrections, the Department of Children and Family Services,
9 the Division of Probation Services of the Supreme Court, the
10 Office of the Statewide 9-1-1 Administrator, and other local or
11 county agency comprised of county probation officers,
12 corrections employees, or 9-1-1 telecommunicators or emergency
13 medical dispatchers.

14 "Post-traumatic stress disorder" or "PTSD" means a
15 disorder that meets the diagnostic criteria for PTSD specified
16 by the American Psychiatric Association in its most recent
17 edition of the Diagnostic and Statistical Manual of Mental
18 Disorders adopted by the Illinois Workers' Compensation
19 Commission and that is caused by an event occurring in the
20 course and scope of one's employment.

21 "Public safety personnel" means any employee of a law
22 enforcement agency.

23 (c) Any emergency services personnel, public safety
24 personnel, or individuals licensed as emergency medical
25 services personnel under Section 3.50 of the Emergency Medical
26 Services (EMS) Systems Act who has been diagnosed by a licensed

1 psychiatrist with post-traumatic stress disorder is entitled
2 to benefits under this Act. To receive benefits in accordance
3 with this Section, a qualifying individual is not required to
4 demonstrate physical injury. The Commission shall ensure
5 services provided under this Section comply with all applicable
6 federal parity regulations including, but not limited to, the
7 Paul Wellstone and Pete Domenici Mental Health Parity and
8 Addiction Equity Act of 2008, final regulations issued under
9 the Paul Wellstone and Pete Domenici Mental Health Parity and
10 Addiction Equity Act of 2008, and final regulations applying
11 the Paul Wellstone and Pete Domenici Mental Health Parity and
12 Addiction Equity Act of 2008 to Medicaid managed care
13 organizations, the Children's Health Insurance Program, and
14 alternative benefit plans.

15 (d) Emergency services providers and law enforcement
16 agencies shall provide employees with educational training
17 related to mental health awareness, prevention, mitigation,
18 and treatment.