

By: Canales

H.B. No. 1667

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the eligibility of certain first responders for
3 workers' compensation benefits for post-traumatic stress disorder
4 under the workers' compensation system.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

6 SECTION 1. Section 408.006(b), Labor Code, is amended to
7 read as follows:

8 (b) Notwithstanding Section 408.0061 [~~504.019~~], a mental or
9 emotional injury that arises principally from a legitimate
10 personnel action, including a transfer, promotion, demotion, or
11 termination, is not a compensable injury under this subtitle.

12 SECTION 2. Section 504.019, Labor Code, is transferred to
13 Subchapter A, Chapter 408, Labor Code, redesignated as Section
14 408.0061, and amended to read as follows:

15 Sec. 408.0061 [~~504.019~~]. COVERAGE FOR POST-TRAUMATIC
16 STRESS DISORDER FOR CERTAIN FIRST RESPONDERS. (a) In this section:

17 (1) "First responder" means an individual employed by
18 this state, a political subdivision of this state, or an
19 institution of higher education as defined by Section 61.003,
20 Education Code, who is:

21 (A) a peace officer under Article 2A.001, Code of
22 Criminal Procedure;

23 (B) an individual [~~a person~~] licensed under
24 Chapter 773, Health and Safety Code, as an emergency care

1 attendant, emergency medical technician, advanced emergency
2 medical technician [~~technician-intermediate~~], emergency medical
3 technician-paramedic, or licensed paramedic; or

4 (C) a firefighter subject to certification by the
5 Texas Commission on Fire Protection under Chapter 419, Government
6 Code, whose principal duties are firefighting and aircraft crash
7 and rescue.

8 (2) "Post-traumatic stress disorder" means a disorder
9 that meets the diagnostic criteria for post-traumatic stress
10 disorder specified by the American Psychiatric Association in the
11 Diagnostic and Statistical Manual of Mental Disorders, fifth
12 edition, or a later edition adopted by the commissioner of workers'
13 compensation.

14 (b) Post-traumatic stress disorder suffered by a first
15 responder is a compensable injury under this subtitle only if it is
16 based on a diagnosis that:

17 (1) the disorder is caused by one or more events
18 occurring in the course and scope of the first responder's
19 employment; and

20 (2) the preponderance of the evidence indicates that
21 the event or events were a producing cause of the disorder.

22 (c) For purposes of this subtitle, the date of injury for
23 post-traumatic stress disorder suffered by a first responder is the
24 date on which the first responder first knew or should have known
25 that the disorder may be related to the first responder's
26 employment.

27 SECTION 3. Section 501.001(5-a), Labor Code, is amended to

1 read as follows:

2 (5-a) "Post-traumatic stress disorder" has the
3 meaning assigned by Section 408.0061 [~~504.019~~].

4 SECTION 4. The changes in law made by this Act apply only to
5 a claim for workers' compensation benefits based on a compensable
6 injury that occurs on or after the effective date of this Act. A
7 claim based on a compensable injury that occurs before that date is
8 governed by the law as it existed on the date the compensable injury
9 occurred, and the former law is continued in effect for that
10 purpose.

11 SECTION 5. This Act takes effect September 1, 2025.