By:  Turner of Dallas, et al. H.B. No. 2143

     (Senate Sponsor - Whitmire)

(In the Senate - Received from the House May 13, 2019; May 13, 2019, read first time and referred to Committee on Business & Commerce; May 20, 2019, reported adversely, with favorable Committee Substitute by the following vote: Yeas 9, Nays 0; May 20, 2019, sent to printer.)

COMMITTEE VOTE

                    Yea Nay Absent  PNV

Hancock              X

Nichols              X

Campbell             X

Creighton            X

Menéndez             X

Paxton               X

Schwertner           X

Whitmire             X

Zaffirini            X

COMMITTEE SUBSTITUTE FOR H.B. No. 2143 By:  Whitmire

A BILL TO BE ENTITLED

AN ACT

relating to the eligibility of a first responder for workers' compensation benefits for post-traumatic stress disorder.

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

SECTION 1.  Section 504.019, Labor Code, is amended by amending Subsection (b) and adding Subsection (c) to read as follows:

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

(1)  the disorder is caused by one or more events [~~an event~~] occurring in the course and scope of the first responder's employment; and

(2)  the preponderance of the evidence indicates that:

(A)   the event or events described by Subdivision (1) were [~~was~~] a substantial contributing factor of the disorder; and

(B)  if not for the event or events described by Subdivision (1), the disorder would not have occurred.

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

SECTION 2.  The change in law made by this Act applies only to a claim for workers' compensation benefits based on a compensable injury that occurs on or after the effective date of this Act. A claim based on a compensable injury that occurs before that date is governed by the law as it existed on the date the compensable injury occurred, and the former law is continued in effect for that purpose.

SECTION 3.  This Act takes effect September 1, 2019.

\* \* \* \* \*