

# SENATE AMENDMENTS

2<sup>nd</sup> Printing

By: Turner of Dallas, Wray, Darby, et al.

H.B. No. 2143

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to the eligibility of a first responder for workers'  
3 compensation benefits for post-traumatic stress disorder.

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

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

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

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

14 (2) the preponderance of the evidence indicates that  
15 the event or events were [~~was~~] a substantial contributing factor of  
16 the disorder.

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

22 SECTION 2. The change in law made by this Act applies only  
23 to a claim for workers' compensation benefits based on a  
24 compensable injury that occurs on or after the effective date of

1 this Act. A claim based on a compensable injury that occurs before  
2 that date is governed by the law as it existed on the date the  
3 compensable injury occurred, and the former law is continued in  
4 effect for that purpose.

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

ADOPTED

MAY 22 2019

*Leta Gray*  
Secretary of the Senate

By: Whitie

H.B. No. 2143

Substitute the following for H.B. No. 2143:

By: Albino

C.S. H.B. No. 2143

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10 based on a diagnosis that:

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

14 (2) the preponderance of the evidence indicates that:

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

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

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

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

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

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 86TH LEGISLATIVE REGULAR SESSION**

**May 23, 2019**

**TO:** Honorable Dennis Bonnen, Speaker of the House, House of Representatives

**FROM:** John McGeady, Assistant Director    Sarah Keyton, Assistant Director  
Legislative Budget Board

**IN RE: HB2143** by Turner, John (Relating to the eligibility of a first responder for workers' compensation benefits for post-traumatic stress disorder.), **As Passed 2nd House**

<b>No significant fiscal implication to the State is anticipated.</b>
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The bill would amend the Labor Code relating to the eligibility of a first responder for workers' compensation benefits for post-traumatic stress disorder. The bill would add to the diagnosis that post-traumatic stress disorder is caused by one or more events occurring in the course and scope of the first responder's employment as a compensable injury for peace officers and firefighters.

Based on the analysis of the Texas Department of Insurance, State Office of Risk Management, and Commission on Fire Protection, this analysis assumes that the duties and responsibilities associated with implementing the provisions of the bill could be accomplished by utilizing existing resources.

The Commission on Law Enforcement cannot estimate the number of employees who might need treatment as a result of the bill.

The bill would take effect September 1, 2019.

**Local Government Impact**

The Texas Association of Counties anticipates a significant fiscal impact to the Texas Association of Counties Risk Management Pool. However, the bill is not expected to have a significant fiscal impact to counties.

**Source Agencies:**        454 Department of Insurance, 479 State Office of Risk Management, 407  
   Commission on Law Enforcement, 411 Commission on Fire Protection

**LBB Staff:** WP, AF, CLo, SGr, CP, SD, ASa

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 86TH LEGISLATIVE REGULAR SESSION**

**May 20, 2019**

**TO:** Honorable Kelly Hancock, Chair, Senate Committee on Business & Commerce

**FROM:** John McGeady, Assistant Director    Sarah Keyton, Assistant Director  
Legislative Budget Board

**IN RE:** **HB2143** by Turner, John (Relating to the eligibility of a first responder for workers' compensation benefits for post-traumatic stress disorder.), **Committee Report 2nd House, Substituted**

<b>No significant fiscal implication to the State is anticipated.</b>
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The bill would amend the Labor Code relating to the eligibility of a first responder for workers' compensation benefits for post-traumatic stress disorder. The bill would add to the diagnosis that post-traumatic stress disorder is caused by one or more events occurring in the course and scope of the first responder's employment as a compensable injury for peace officers and firefighters.

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Commission on Law Enforcement, 411 Commission on Fire Protection

**LBB Staff:** WP, AF, CLo, SGr, CP, SD, ASa

**LEGISLATIVE BUDGET BOARD  
Austin, Texas**

**FISCAL NOTE, 86TH LEGISLATIVE REGULAR SESSION**

**May 14, 2019**

**TO:** Honorable Kelly Hancock, Chair, Senate Committee on Business & Commerce

**FROM:** John McGeady, Assistant Director    Sarah Keyton, Assistant Director  
Legislative Budget Board

**IN RE:** **HB2143** by Turner, John (Relating to the eligibility of a first responder for workers' compensation benefits for post-traumatic stress disorder.), **As Engrossed**

<b>No significant fiscal implication to the State is anticipated.</b>
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**LBB Staff:** WP, CLo, SGr, CP, SD, AF, ASa

**LEGISLATIVE BUDGET BOARD  
Austin, Texas**

**FISCAL NOTE, 86TH LEGISLATIVE REGULAR SESSION  
Revision 1**

**April 29, 2019**

**TO:** Honorable Trey Martinez Fischer, Chair, House Committee on Business & Industry

**FROM:** John McGeady, Assistant Director Sarah Keyton, Assistant Director  
Legislative Budget Board

**IN RE: HB2143** by Turner, John (Relating to the eligibility of a first responder for workers' compensation benefits for post-traumatic stress disorder.), **Committee Report 1st House, Substituted**

**No significant fiscal implication to the State is anticipated.**

The bill would amend the Labor Code relating to the eligibility of a first responder for workers' compensation benefits for post-traumatic stress disorder. The bill would add to the diagnosis that post-traumatic stress disorder is caused by one or more events occurring in the course and scope of the first responder's employment as a compensable injury for peace officers and firefighters.

Based on the analysis of the Texas Department of Insurance, State Office of Risk Management, and Commission on Fire Protection, this analysis assumes that the duties and responsibilities associated with implementing the provisions of the bill could be accomplished by utilizing existing resources.

The Commission on Law Enforcement cannot estimate the number of employees who might need treatment as a result of the bill.

The bill would take effect September 1, 2019.

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**Source Agencies:** 407 Commission on Law Enforcement, 411 Commission on Fire Protection, 454 Department of Insurance, 479 State Office of Risk Management

**LBB Staff:** WP, CLo, SGr, CP, SD, AF, ASa



**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 86TH LEGISLATIVE REGULAR SESSION**

**April 25, 2019**

**TO:** Honorable Trey Martinez Fischer, Chair, House Committee on Business & Industry

**FROM:** John McGeady, Assistant Director    Sarah Keyton, Assistant Director  
Legislative Budget Board

**IN RE: HB2143** by Turner, John (Relating to the eligibility of first responder for workers' compensation benefits for post-traumatic stress disorder.), **Committee Report 1st House, Substituted**

<p><b>No significant fiscal implication to the State is anticipated.</b></p>
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The bill would amend the Labor Code relating to the eligibility of a first responder for workers' compensation benefits for post-traumatic stress disorder. The bill would add to the diagnosis that post-traumatic stress disorder is caused by one or more events occurring in the course and scope of the first responder's employment as a compensable injury for peace officers and firefighters.

Based on the analysis of the Texas Department of Insurance, State Office of Risk Management, and Commission on Fire Protection, this analysis assumes that the duties and responsibilities associated with implementing the provisions of the bill could be accomplished by utilizing existing resources.

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**LBB Staff:** WP, CLo, SGr, CP, AF, ASa

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 86TH LEGISLATIVE REGULAR SESSION**

**April 8, 2019**

**TO:** Honorable Trey Martinez Fischer, Chair, House Committee on Business & Industry

**FROM:** John McGeady, Assistant Director    Sarah Keyton, Assistant Director  
Legislative Budget Board

**IN RE: HB2143** by Turner, John (Relating to the eligibility of a first responder for workers' compensation benefits for post-traumatic stress disorder.), **As Introduced**

<b>No significant fiscal implication to the State is anticipated.</b>
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The bill would amend the Labor Code relating to the eligibility of a first responder for workers' compensation benefits for post-traumatic stress disorder. The bill would add to the diagnosis that post-traumatic stress disorder is caused by exposure to multiple events as a compensable injury for peace officers and firefighters.

Based on the analysis of the Texas Department of Insurance, State Office of Risk Management, and Commission on Fire Protection, this analysis assumes that the duties and responsibilities associated with implementing the provisions of the bill could be accomplished by utilizing existing resources.

The Commission on Law Enforcement cannot estimate the number of employees who might need treatment as a result of the bill.

The bill would take effect September 1, 2019.

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