

By: Thompson

H.B. No. 673

A BILL TO BE ENTITLED

AN ACT

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

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

SECTION 1. Subchapter B, Chapter 501, Labor Code, is amended by adding Section 501.030 to read as follows:

Sec. 501.030. COVERAGE FOR POST-TRAUMATIC STRESS DISORDER FOR FIRST RESPONDERS. (a) In this section, "first responder" means:

(1) an employee described by Section 501.001(5)(C), (D), (E), or (F); or

(2) an employee who is:

(A) a person licensed under Chapter 773, Health and Safety Code, as an emergency care attendant, emergency medical technician, advanced emergency medical technician, emergency medical technician-paramedic, or licensed paramedic; or

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

(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

1 occurring in the course and scope of the first responder's
2 employment; and

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

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

10 SECTION 2. Subchapter B, Chapter 502, Labor Code, is
11 amended by adding Section 502.026 to read as follows:

12 Sec. 502.026. COVERAGE FOR POST-TRAUMATIC STRESS DISORDER
13 FOR FIRST RESPONDERS. (a) In this section:

14 (1) "First responder" means an employee who is:

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

17 (B) a person licensed under Chapter 773, Health
18 and Safety Code, as an emergency care attendant, emergency medical
19 technician, advanced emergency medical technician, emergency
20 medical technician-paramedic, or licensed paramedic; or

21 (C) a firefighter subject to certification by the
22 Texas Commission on Fire Protection under Chapter 419, Government
23 Code, whose principal duties are firefighting and aircraft crash
24 and rescue.

25 (2) "Post-traumatic stress disorder" means a disorder
26 that meets the diagnostic criteria for post-traumatic stress
27 disorder specified by the American Psychiatric Association in the

1 Diagnostic and Statistical Manual of Mental Disorders, fifth
2 edition, or a later edition adopted by the commissioner of workers'
3 compensation.

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

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

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

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

17 SECTION 3. Subchapter B, Chapter 503, Labor Code, is
18 amended by adding Section 503.026 to read as follows:

19 Sec. 503.026. COVERAGE FOR POST-TRAUMATIC STRESS DISORDER
20 FOR FIRST RESPONDERS. (a) In this section:

21 (1) "First responder" means an employee who is:

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

24 (B) a person licensed under Chapter 773, Health
25 and Safety Code, as an emergency care attendant, emergency medical
26 technician, advanced emergency medical technician, emergency
27 medical technician-paramedic, or licensed paramedic; or

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

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

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

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

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

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

24 SECTION 4. Subchapter B, Chapter 505, Labor Code, is
25 amended by adding Section 505.014 to read as follows:

26 Sec. 505.014. COVERAGE FOR POST-TRAUMATIC STRESS DISORDER
27 FOR FIRST RESPONDERS. (a) In this section:

1 (1) "First responder" means an employee who is:

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

4 (B) a person licensed under Chapter 773, Health
5 and Safety Code, as an emergency care attendant, emergency medical
6 technician, advanced emergency medical technician, emergency
7 medical technician-paramedic, or licensed paramedic; or

8 (C) a firefighter subject to certification by the
9 Texas Commission on Fire Protection under Chapter 419, Government
10 Code, whose principal duties are firefighting and aircraft crash
11 and rescue.

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

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

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

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

26 (c) For purposes of this subtitle, the date of injury for
27 post-traumatic stress disorder suffered by a first responder is the

1 date on which the first responder first knew or should have known
2 that the disorder may be related to the first responder's
3 employment.

4 SECTION 5. Section 408.006(b), Labor Code, is amended to
5 read as follows:

6 (b) Notwithstanding Sections 501.030, 502.026, 503.026,
7 ~~[Section]~~ 504.019, and 505.014, a mental or emotional injury that
8 arises principally from a legitimate personnel action, including a
9 transfer, promotion, demotion, or termination, is not a compensable
10 injury under this subtitle.

11 SECTION 6. The changes in law made by this Act apply only to
12 a claim for workers' compensation benefits based on a compensable
13 injury that occurs on or after the effective date of this Act. A
14 claim based on a compensable injury that occurs before that date is
15 governed by the law as it existed on the date the compensable injury
16 occurred, and the former law is continued in effect for that
17 purpose.

18 SECTION 7. This Act takes effect September 1, 2025.