



Legislation Text

File #: 59844, **Version:** 1

Fiscal Note

No appropriation required.

Title

In support of state legislation to allow police officers and firefighters to make workers' compensation claims for post-traumatic stress disorder under expanded circumstances.

Body

WHEREAS, law enforcement officers and firefighters experience traumatic events at a greatly elevated rate, resulting in an elevated incidence of post-traumatic stress disorder (PTSD); and,

WHEREAS, under existing Wisconsin statutes, if a law enforcement officer or firefighter receives a diagnosis of PTSD, and the mental injury that resulted in PTSD is not accompanied by a physical injury, that officer or firefighter may not receive workers' compensation benefits or duty disability unless they can demonstrate that the PTSD resulted from unusual stress of greater dimensions than the day-to-day emotional strain and tension that similarly-situated employees must experience; and,

WHEREAS, the vast majority of instances of PTSD among law enforcement officers and firefighters are the result of circumstances that do not meet this statutory requirement, and thus current statute deprives Wisconsin law enforcement officers and firefighters of essential healthcare and benefits; and,

WHEREAS, the City of Madison values its public safety officers and believes that, in the interest of fairness, public safety officers should have access to such benefits; and,

WHEREAS, such measures help ensure mental wellness among public safety officers, which is in the interest of all Madison residents; and,

WHEREAS, the Madison Police Department Policy and Procedure Review Ad Hoc Committee report, which has been accepted by the Madison Common Council, specifies in recommendation #159 that "The City of Madison should advocate for changes in Wisconsin State Statutes to allow law enforcement officers to receive workers' compensation and duty disability for PTSD acquired as a result of the day to day traumas and stresses of police work, as outlined in recently introduced legislation"; and,

WHEREAS, Wisconsin Assembly Bill 569/Senate Bill 511 provides that public safety officers diagnosed with PTSD can bring claims for worker's compensation benefits if the conditions of liability are proven by a preponderance of the evidence and the mental injury is not the result of a good-faith employment action by the person's employer, without requiring that the mental injury that resulted in the diagnosis of PTSD be accompanied by physical injury, and without requiring that the employee demonstrate that the PTSD was the result of unusual stress of greater dimensions than the day-to-day emotional strain and tension experienced by similarly situated employees,

NOW, THEREFORE, BE IT RESOLVED that that the City of Madison Common Council calls upon the State Legislature to pass, and the Governor to sign, Assembly Bill 569/Senate Bill 511; and,

BE IT FINALLY RESOLVED that a copy of this resolution be sent to members of Madison's state legislative delegation and to the Governor.