
A BILL FOR AN ACT

RELATING TO THE ELIGIBILITY OF FIREFIGHTERS, EMERGENCY MEDICAL SERVICES PERSONNEL, AND LAW ENFORCEMENT OFFICERS TO RECEIVE WORKERS' COMPENSATION BENEFITS FOR POST-TRAUMATIC STRESS DISORDER.

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

1 SECTION 1. Chapter 386, Hawaii Revised Statutes, is
2 amended by adding a new section to part I to be appropriately
3 designated and to read as follows:
4 "§386- Firefighters; emergency medical service
5 personnel; law enforcement officers; post-traumatic stress
6 disorder. (a) Any firefighter, emergency medical service
7 personnel, or law enforcement officer diagnosed with post-
8 traumatic stress disorder by a licensed mental health
9 professional shall be presumed to have incurred the post-
10 traumatic stress disorder in the course of employment and the
11 injury shall be compensable; provided that the presumption may
12 be rebutted by a showing of proof by preponderance of the
13 evidence that the post-traumatic stress disorder was not
14 incurred in the course of employment.
15 (b) For the purposes of this section:



H.B. NO. 263

1 "Emergency medical services personnel" shall have the same
2 meaning as in section 321-222.

3 "Firefighter" shall have the same meaning as in section
4 587D-1.

5 "Law enforcement officer" shall have the same meaning as in
6 section 701-118.

7 "Licensed mental health professional" means any of the
8 following:

9 (1) A person licensed as a psychologist pursuant to
10 chapter 465;

11 (2) A board certified, or board eligible, licensed
12 psychiatrist; or

13 (3) An advanced practice registered nurse licensed
14 pursuant to chapter 457 who holds an accredited
15 national certification in an advanced practice
16 registered nurse psychiatric specialization.

17 "Post-traumatic stress disorder" means a disorder that:

18 (1) Meets the diagnostic criteria for post-traumatic
19 stress disorder specified by the American Psychiatric
20 Association in the Diagnostic and Statistical Manual



H.B. NO. 263

Report Title:

Workers' Compensation; PTSD; Firefighters; Emergency Medical Service Personnel; Law Enforcement Officers

Description:

Establishes a rebuttable presumption that any firefighter, emergency medical service personnel, or law enforcement officer diagnosed with post-traumatic stress disorder incurred that injury while in the course of employment for the purposes of receiving workers' compensation benefits.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

