

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL NOTE

SB 200 – HB780

April 4, 2019

SUMMARY OF BILL: Creates the *Firefighter and EMS Suicide Prevention Act* to allow firefighters or emergency medical services personnel to file for, within three years of their last active date of employment, compensation under worker's compensation law, if they have been diagnosed with post-traumatic stress disorder (PTSD) while on active duty. Establishes that no compensation can be claimed if PTSD was caused by nonservice-connected risk factors or exposure; nor can certain actions taken in good faith by the employer that results in mental conditions be considered an injury covered under this act.

ESTIMATED FISCAL IMPACT:

Increase Local Expenditures – Exceeds \$17,064,000/Recurring

Assumptions:

- Pursuant to Tenn. Code Ann. 8-50-119(b)(3), public safety employee is defined as an emergency medical worker or professional firefighter who is a paid, full-time employee of a public safety employer;
- Injuries related to PTSD are not covered by workers' compensation law for public safety employees.
- This legislation requires public safety employers to provide workers' compensation benefits to public safety employees diagnosed with PTSD.
- All costs resulting from worker's compensation claims will be paid by local governments as employers to their respective public safety employees resulting in a mandatory increase in local government expenditures.
- Based on information provided by local sources, the average workers' compensation claim for public safety employees is \$24,000.
- Based on information provided by the Department of Health (DOH), there are currently 20,657 Emergency Medical Service (EMS) personnel with a certification license in good standing issued by the Board of EMS.
- Based on information provided by the Department of Commerce and Insurance, there are 7,773 local full-time firefighters in the state that would be eligible for the provision in this legislation.
- It is estimated that at least five percent or 1,422 [(20,657 EMS + 7,773 Firefighters) x 5%] of the combined public safety workers will be diagnosed with PTSD and will be eligible for a workers' compensation claim each year.

- It is estimated, of the minimum 1,422 who would become eligible, at least 50 percent would file for workers' compensation. Therefore, at least 711 (1,422 x 50%) will file for workers' compensation.
- The mandatory recurring increase in local government expenditures is estimated to exceed \$17,064,000 (711 minimum public safety workers x \$24,000 average claim).
- Based on information provided by the Bureau of Workers' Compensation (BWC), it is estimated that any increase in claims for public safety workers diagnosed with PTSD, can be accommodated within the Bureau's existing staff and resources without any increase in expenditures.
- Based on information provided by the Department of Mental Health and Substance Abuse Services and the Department of Health, the provisions of this legislation will not significantly impact the departments.

**Article II, Section 24 of the Tennessee Constitution provides that: no law of general application shall impose increased expenditure requirements on cities or counties unless the General Assembly shall provide that the state share in the cost.*

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.



Krista Lee Carsner, Executive Director

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