

AMENDMENT #3

OFFERED IN THE HOUSE

BY REPRESENTATIVE JOSEPHSON

TO: HCS CSSB 147(L&C)

1 Page 1, line 1 (*title amendment*):

2 Delete "reemployment rights and benefits"

3 Insert "workers' compensation reemployment rights and benefits; relating to the
4 presumption of compensability for workers' compensation claims related to post-
5 traumatic stress disorder"

6

7 Page 6, following line 31:

8 Insert new bill sections to read:

9 "* **Sec. 9.** AS 23.30 is amended by adding a new section to read:

10 **Sec. 23.30.118. Presumption of compensability for post-traumatic stress**
11 **disorder.** (a) There is a presumption that an employee's claim for compensation as a
12 result of post-traumatic stress disorder is within the provisions of this chapter if the
13 employee

14 (1) is employed or was employed in an occupation listed in (b)(2) of
15 this section; and

16 (2) while employed or within three years after the last date of the
17 employee's employment, receives a diagnosis by a psychiatrist or a psychologist of
18 post-traumatic stress disorder.

19 (b) The presumption of compensability described in (a) of this section

20 (1) may be rebutted by a preponderance of the evidence that the
21 employee's post-traumatic stress disorder resulted from factors that were not work
22 related;

23 (2) applies only to the following employees:

- 1 (A) correctional officers;
- 2 (B) emergency medical technicians;
- 3 (C) emergency medical dispatchers;
- 4 (D) firefighters;
- 5 (E) mobile intensive care paramedics licensed under AS 18.08;
- 6 (F) peace officers; and
- 7 (G) employees who are certified under state law to perform
- 8 emergency medical services; and

9 (3) notwithstanding AS 23.30.100(a), applies for a period of three
10 years following the last date of the employee's employment.

11 (c) In this section,

12 (1) "correctional officer" has the meaning given in AS 18.65.290;

13 (2) "emergency medical dispatcher" has the meaning given in
14 AS 18.08.200;

15 (3) "emergency medical service" has the meaning given in
16 AS 18.08.200;

17 (4) "emergency medical technician" has the meaning given in
18 AS 18.08.200;

19 (5) "firefighter" has the meaning given in AS 23.30.121(f);

20 (6) "peace officer" has the meaning given in AS 11.81.900(b).

21 * **Sec. 10.** AS 23.30.120(c) is amended to read:

22 (c) Except as provided in AS 23.30.118, the [THE] presumption of
23 compensability established in (a) of this section does not apply to a mental injury
24 resulting from work-related stress."
25

26 Renumber the following bill sections accordingly.