

AMENDMENTS TO HOUSE BILL NO. 432

Sponsor: REPRESENTATIVE BARRAR

Printer's No. 419

1 Amend Bill, page 1, lines 7 and 8, by striking out "the
2 definition of "occupational disease"" and inserting
3 definitions

4 Amend Bill, page 1, lines 13 through 17; page 2, lines 1
5 through 13; by striking out all of said lines on said pages and
6 inserting

7 Section 1. Section 109 of the act of June 2, 1915 (P.L.736,
8 No.338), known as the Workers' Compensation Act, is amended by
9 adding definitions to read:

10 Section 109. In addition to the definitions set forth in
11 this article, the following words and phrases when used in this
12 act shall have the meanings given to them in this section unless
13 the context clearly indicates otherwise:

14 * * *

15 "Corrections officer" means a full-time employe assigned to
16 the Department of Corrections whose principal duty is the care,
17 custody and control of inmates of a penal or correctional
18 institution operated by the Department of Corrections.

19 * * *

20 "Post-traumatic stress injury" shall mean a post-traumatic
21 stress disorder as defined by a mental disorder characterized by
22 direct exposure to a traumatic event as identified by the
23 American Psychiatric Association and documented in the American
24 Psychiatric Association's Diagnostic and Statistical Manual of
25 Mental Disorders, 5th Edition.

26 * * *

27 "Telecommunicator" means an individual employed by a public
28 safety answering point whose primary responsibility is to
29 receive, process, transmit or dispatch emergency and
30 nonemergency calls for service for emergency medical, fire and
31 rescue, law enforcement or other public safety services via
32 telephone, radio or other communication device. The term shall
33 include, but not be limited to, call takers, emergency
34 dispatchers and supervisors.

35 * * *

1 Amend Bill, page 2, line 17, by inserting after "(g)"

2 (1)

3 Amend Bill, page 2, line 20, by inserting after "paramedics,"
4 telecommunicator, corrections officer,

5 Amend Bill, page 2, line 23, by striking out "a preponderance
6 of the" and inserting

7 substantial competent

8 Amend Bill, page 2, line 24, by inserting after "injury"

9 was caused by a direct exposure to a normal or abnormal
10 working condition and

11 Amend Bill, page 2, by inserting between lines 25 and 26

12 (2) A post-traumatic stress injury suffered by an individual
13 under paragraph (1) shall be based on an examination and
14 diagnosis by a psychologist or psychiatrist duly licensed under
15 the laws of this Commonwealth.

16 (3) For purposes of this subsection, a post-traumatic stress
17 injury suffered as a result of an employment action, including,
18 but not limited to, disciplinary action, job or performance
19 evaluation, job transfers or employment termination shall not be
20 compensable unless it can be established by substantial
21 competent evidence that the underlying cause of the employment
22 action is directly attributable to the injury as provided for
23 under this subsection.

24 Amend Bill, page 2, line 26, by inserting after "The "

25 amendment or

26 Amend Bill, page 2, line 26, by striking out "108(s)" and
27 inserting

28 109

29 Amend Bill, page 2, line 29, by striking out "in 60 days."

30 and inserting

31 as follows:

32 (1) The amendment or addition of sections 109 and 301(g)
33 of the act shall take effect one year after the effective
34 date of this section.

35 (2) The remainder of this act shall take effect
36 immediately.