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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 432 Session of  
2019

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INTRODUCED BY BARRAR, BIZZARRO, BOYLE, BURNS, COMITTA, DAVIDSON,  
A. DAVIS, T. DAVIS, DEASY, DELLOSO, DeLUCA, DERMODY,  
DIGIROLAMO, DONATUCCI, DRISCOLL, ECKER, FARRY, FITZGERALD,  
FRANKEL, GAINNEY, GAYDOS, HARKINS, HARRIS, HILL-EVANS,  
INNAMORATO, ISAACSON, KORTZ, KULIK, MADDEN, MARKOSEK,  
MARSHALL, MATZIE, McNEILL, MERSKI, D. MILLER, MULLINS, MURT,  
NEILSON, O'MARA, POLINCHOCK, RAVENSTAHL, READSHAW, RYAN,  
SAINATO, SAPPEY, SCHLOSSBERG, SCHWEYER, SNYDER, SOLOMON,  
STAATS, WARREN, WHITE, SCHMITT, ZABEL, FLYNN, ULLMAN AND  
TOEPEL, FEBRUARY 11, 2019

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REFERRED TO COMMITTEE ON VETERANS AFFAIRS AND EMERGENCY  
PREPAREDNESS, FEBRUARY 11, 2019

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AN ACT

1 Amending the act of June 2, 1915 (P.L.736, No.338), entitled "An  
2 act defining the liability of an employer to pay damages for  
3 injuries received by an employe in the course of employment;  
4 establishing an elective schedule of compensation; providing  
5 procedure for the determination of liability and compensation  
6 thereunder; and prescribing penalties," in interpretation and  
7 definitions, further providing for the definition of  
8 "occupational disease"; and, in liability and compensation,  
9 further providing for compensation for post-traumatic stress  
10 injury.

11 The General Assembly of the Commonwealth of Pennsylvania  
12 hereby enacts as follows:

13 Section 1. Section 108 of the act of June 2, 1915 (P.L.736,  
14 No.338), known as the Workers' Compensation Act, is amended by  
15 adding a clause to read:

16 Section 108. The term "occupational disease," as used in  
17 this act, shall mean only the following diseases.

1 \* \* \*

2 (s) Post-traumatic stress injury, that is suffered by a  
3 professional and volunteer firefighter, volunteer ambulance  
4 corps personnel, volunteer rescue and lifesaving squad  
5 personnel, emergency medical services personnel and paramedics,  
6 a Pennsylvania State Police officer and a police officer  
7 requiring certification under 53 Pa.C.S. Ch. 21 (relating to  
8 employees), and caused by exposure to a traumatic event arising  
9 in the course of the individual's employment or, after four  
10 years or more of service, is caused by and related to the  
11 cumulative effect of psychological stress in the course of the  
12 individual's employment for the benefit and safety of the  
13 public.

14 Section 2. Section 301 of the act is amended by adding a  
15 subsection to read:

16 Section 301. \* \* \*

17 (g) A post-traumatic stress injury suffered by a  
18 professional and volunteer firefighter, volunteer ambulance  
19 corps personnel, volunteer rescue and lifesaving squad  
20 personnel, emergency medical services personnel and paramedics,  
21 a Pennsylvania State Police officer and a police officer  
22 requiring certification under 53 Pa.C.S. Ch. 21 (relating to  
23 employees) shall be established by a preponderance of the  
24 evidence that the injury was received while in the course of the  
25 individual's employment.

26 Section 3. The addition of sections 108(s) and 301(g) of the  
27 act shall apply to claims filed on or after the effective date  
28 of this section.

29 Section 4. This act shall take effect in 60 days.