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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-SECOND SESSION

H. F. No. **2558**

04/21/2021 Authored by Grossell, Novotny, Erickson, Koznick, Theis and others

The bill was read for the first time and referred to the Committee on Public Safety and Criminal Justice Reform Finance and Policy

- 1.1 A bill for an act
- 1.2 relating to public safety; revising posttraumatic stress syndrome benefits that law
- 1.3 enforcement agencies must provide peace officers; amending Minnesota Statutes
- 1.4 2020, section 299A.475.
- 1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:
- 1.6 Section 1. Minnesota Statutes 2020, section 299A.475, is amended to read:
- 1.7 **299A.475 POSTTRAUMATIC STRESS SYNDROME BENEFIT.**
- 1.8 (a) A law enforcement agency shall provide benefits to any peace officer, as defined in
- 1.9 section 626.84, subdivision 1, paragraph (c), employed by the agency who:
- 1.10 (1) suffers a debilitating psychological reaction to a traumatic event;
- 1.11 (2) is diagnosed by a ~~psychiatrist or a licensed psychologist~~ mental health professional
- 1.12 as suffering from posttraumatic stress syndrome; and
- 1.13 (3) is determined by a ~~psychiatrist or a licensed psychologist~~ mental health professional
- 1.14 to be unable to perform other peace officer job duties offered by the employer through
- 1.15 reassignment.
- 1.16 A peace officer who meets all of the conditions of this paragraph is entitled to the benefits
- 1.17 described in paragraph (b). A peace officer who meets the conditions in clauses (1) and (2)
- 1.18 is entitled to the benefits in paragraph (b), clause (2). The availability of benefits does not
- 1.19 depend on whether there is also an accompanying physical injury or physical cause of the
- 1.20 condition.
- 1.21 (b) The benefits provided by the law enforcement agency shall include:

(1) payment by the employer for unreimbursed loss of wages during the time period the officer is disabled, but not to exceed one year; and

(2) payment by the employer for unreimbursed expenses for medical treatment, including psychiatric or psychological counseling, ~~to cure and relieve the effects of the posttraumatic stress syndrome during the time period the officer is disabled, but not to exceed one year~~, to aid in treatment, management, and alleviation of posttraumatic stress syndrome for the duration it takes the officer to get back to active duty not to exceed one year.

(c) The employer may request a peace officer to undergo an examination by a ~~psychiatrist or licensed psychologist selected by the employer~~ mental health professional.

(d) As used in this section, the following terms have the meanings given:

(1) "debilitating psychological reaction" means the disturbance causes clinically significant distress or impairment in social, occupational, or other important areas of functioning;

(2) "mental health professional" has the meaning given in section 245.462, subdivision 18; and

(3) "traumatic event" means an event involving the employee lawfully taking the life of or causing great bodily harm, as defined in section 609.02, subdivision 8, to another by force or violence. "Debilitating psychological reaction" means that, following the traumatic event, the peace officer is unable to perform the essential functions of the peace officer's job without reassignment. exposure to actual or threatened death, serious injury, or sexual violence in one or more of the following ways:

(i) directly experiencing the traumatic event;

(ii) witnessing, in person, the event as it occurred to others;

(iii) learning that the traumatic event occurred to a close family member or close friend.

In cases of actual or threatened death of a family member or friend, the event must have been violent or accidental; or

(iv) experiencing repeated or extreme exposure to aversive details of the traumatic event.

Exposure through electronic media, television, movies, or pictures does not constitute a traumatic event unless the exposure is work-related.