

**SB 507 A STAFF MEASURE SUMMARY**

Carrier: Rep. Holvey

**House Committee On Rules****Action Date:** 05/30/19**Action:** Do Pass the A-Eng bill.**Vote:** 7-0-0-0**Yeas:** 7 - Boles, Holvey, Nosse, Smith Warner, Sprenger, Williamson, Wilson**Fiscal:** Fiscal impact issued**Revenue:** No revenue impact**Prepared By:** Josh Nasbe, Counsel**Meeting Dates:** 5/30**WHAT THE MEASURE DOES:**

Creates presumption that death, disability, or impairment of health is compensable under workers' compensation system as occupational disease, following diagnosis from psychiatrist or psychologist. Requires employer to rebut presumption by clear and convincing evidence. Applies to specified public safety officers who have been employed for at least five years or who experience single traumatic event. Applies to claims filed on or after effective date and takes effect 91st day following adjournment sine die.

**ISSUES DISCUSSED:**

- Prevalence of stress disorders in public safety officers
- Management-Labor Advisory Committee

**EFFECT OF AMENDMENT:**

No amendment.

**BACKGROUND:**

Workers' compensation insurance provides benefits to employees who suffer from an injury that occurs at work. The system also provides benefits for an occupational disease that is caused by substances or activities to which the employee would not ordinarily be subjected or exposed to other than during work. The worker has the burden to prove that employment conditions were the major contributing cause of the occupational disease except when the disease is respiratory, cardiovascular-renal, or certain cancers. In those cases, if a person has worked at least five years as a firefighter, the employer has the burden to prove the cancer, lung, or kidney disease was not caused by employment conditions. Oregon law presumes those conditions were caused by occupational exposure.

Current law provides a mental disorder is not a compensable disease unless the employment conditions producing the disorder exist in a real and objective sense and are not generally inherent in the working situation; the disorder is diagnosed by medical or psychological professionals; and clear and convincing evidence exists that the mental disorder arose out of and in the course of employment. Senate Bill 507 A creates a rebuttable presumption, applicable to specified first responders, that certain stress-related disorders are compensable occupational diseases.