

**Second Regular Session
Sixty-ninth General Assembly
STATE OF COLORADO**

ENGROSSED

*This Version Includes All Amendments Adopted
on Second Reading in the House of Introduction*

LLS NO. 14-0908.01 Kristen Forrestal x4217

HOUSE BILL 14-1343

HOUSE SPONSORSHIP

Singer and Wright, Exum, Foote, Garcia, Melton, Salazar

SENATE SPONSORSHIP

Tochtrop,

House Committees

Local Government
State, Veterans, & Military Affairs
Legislative Council
Appropriations

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING WORKERS' COMPENSATION COVERAGE FOR**
102 **POST-TRAUMATIC STRESS DISORDER FOR PEACE OFFICERS.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://www.leg.state.co.us/bills summaries>.)

The bill includes post-traumatic stress disorder (PTSD) that is suffered by a peace officer as a covered workers' compensation disability. A peace officer is presumed to have a diagnosis of PTSD if the peace officer seeks treatment for and is diagnosed with PTSD within 36 months after the date of a traumatic event that occurs in the line of duty. An

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
*Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.*

HOUSE
Amended 2nd Reading
April 29, 2014

employer or insurer has the opportunity to overcome the presumption. The bill requires an insurer or employer to pay all authorized medical expenses of a peace officer alleged to suffer from work-related PTSD.

The bill limits the dissemination of health information by health care providers to that information directly related to the cause or aggravating factors of the patient's PTSD. The bill sets up an expedited review process for the determination of the diagnosis of work-related PTSD.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** In Colorado Revised Statutes, **add 29-5-113** as
3 follows:

4 **29-5-113. Peace officers - post-traumatic stress disorder task**
5 **force - creation - report - repeal.** (1) THERE IS HEREBY CREATED THE
6 PEACE OFFICER POST-TRAUMATIC STRESS DISORDER TASK FORCE,
7 REFERRED TO IN THIS SECTION AS THE TASK FORCE. THE TASK FORCE
8 SHALL RESEARCH WORK-RELATED PEACE OFFICER POST-TRAUMATIC
9 STRESS DISORDER AND OTHER RELEVANT TOPICS AS DETERMINED BY THE
10 TASK FORCE AND REPORT FINDINGS AND MAKE RECOMMENDATIONS THAT
11 INCLUDE THE BEST POLICIES AND PRACTICES FOR PUBLIC EMPLOYERS OF
12 PEACE OFFICERS IN COLORADO CONCERNING IDENTIFICATION,
13 PREVENTION, TREATMENT, COVERED WORKERS' COMPENSATION CLAIMS,
14 STANDARDIZED PREEMPLOYMENT PSYCHOLOGICAL SCREENINGS, AND
15 EDUCATION OF BOTH MANAGEMENT AND EMPLOYEES ON THIS MENTAL
16 HEALTH ILLNESS.

17 (2) THE TASK FORCE MEMBERS ARE APPOINTED AS FOLLOWS;

18 (a) THE EXECUTIVE DIRECTOR OF EACH OF THE FOLLOWING
19 DEPARTMENTS SHALL APPOINT MEMBERS AS FOLLOWS:

20 (I) ONE REPRESENTATIVE FROM THE DIVISION OF WORKERS'
21 COMPENSATION IN THE DEPARTMENT OF LABOR AND EMPLOYMENT;

1 (II) TWO REPRESENTATIVES FROM THE DEPARTMENT OF PUBLIC
2 SAFETY;

3 (III) ONE REPRESENTATIVE FROM THE DEPARTMENT OF
4 CORRECTIONS;

5 (IV) TWO REPRESENTATIVES FROM THE DEPARTMENT OF
6 PERSONNEL AND ADMINISTRATION; AND

7 (V) ONE REPRESENTATIVE FROM THE DEPARTMENT OF HUMAN
8 SERVICES.

9 (b) THE PRESIDENT OF THE BOARD OF THE COUNTY SHERIFFS OF
10 COLORADO SHALL APPOINT TWO REPRESENTATIVES OF THE COUNTY
11 SHERIFFS.

12 (c) THE EXECUTIVE DIRECTOR OF THE BOARD OF THE COLORADO
13 ASSOCIATION OF CHIEFS OF POLICE SHALL APPOINT TWO REPRESENTATIVES
14 OF THE ASSOCIATION.

15 (d) THE PRESIDENT OF THE COLORADO FRATERNAL ORDER OF
16 POLICE SHALL APPOINT TWO REPRESENTATIVES OF THE ORGANIZATION.

17 (e) THE PRESIDENT OF THE ASSOCIATION OF COLORADO STATE
18 PATROL PROFESSIONALS SHALL APPOINT ONE MEMBER FROM ITS
19 ORGANIZATION.

20 (f) THE EXECUTIVE DIRECTOR OF THE COLORADO MUNICIPAL
21 LEAGUE SHALL APPOINT ONE REPRESENTATIVE OF THE MUNICIPAL LEAGUE.

22 (g) THE EXECUTIVE DIRECTOR OF COLORADO COUNTIES,
23 INCORPORATED SHALL APPOINT ONE REPRESENTATIVE OF COLORADO
24 COUNTIES, INCORPORATED.

25 (h) THE EXECUTIVE DIRECTOR OF THE COLORADO BAR
26 ASSOCIATION SHALL APPOINT ONE ATTORNEY WITH EXPERTISE AND
27 EXPERIENCE IN WORKERS' COMPENSATION AND EMPLOYMENT LAW.

1 (i) THE PRESIDENT OF THE COLORADO PSYCHIATRIC SOCIETY
2 SHALL APPOINT A PSYCHIATRIST WHO IS A MEMBER OF THE SOCIETY AND
3 WHOSE PRIMARY AREA OF PRACTICE INCLUDES POST-TRAUMATIC STRESS
4 DISORDER.

5 (j) THE PRESIDENT OF THE COLORADO PSYCHOLOGICAL
6 ASSOCIATION SHALL APPOINT ONE POLICE PSYCHOLOGIST LICENSED
7 PURSUANT TO PART 3 OF ARTICLE 43 OF TITLE 12, C.R.S., WHOSE PRIMARY
8 AREA OF PRACTICE INCLUDES THE DIAGNOSIS AND TREATMENT OF
9 POST-TRAUMATIC STRESS DISORDER.

10 (k) THE PRESIDENT OF THE COLORADO POLICE PROTECTIVE
11 ASSOCIATION SHALL APPOINT ONE REPRESENTATIVE OF THE ASSOCIATION.

12 (3) THE GOVERNOR SHALL APPOINT A TASK FORCE MEMBER WHO
13 IS A REPRESENTATIVE OF AN EXECUTIVE DEPARTMENT TO SERVE AS A
14 CO-CHAIR OF THE TASK FORCE, AND THE TASK FORCE MEMBER APPOINTED
15 BY THE PRESIDENT OF THE FRATERNAL ORDER OF POLICE SHALL SERVE AS
16 A CO-CHAIR OF THE TASK FORCE.

17 (4) (a) THE TASK FORCE SHALL MEET NO LATER THAN JULY 1,
18 2014, AND AT LEAST FOUR TIMES THEREAFTER AS NECESSARY TO
19 COMPLETE ITS DUTIES. THE MEETINGS MAY BE HELD IN LOCATIONS
20 OFFERED BY THE ENTITIES REPRESENTED ON THE TASK FORCE.

21 (b) THE CO-CHAIRS MAY ASSIGN STUDY GROUPS WITHIN THE TASK
22 FORCE TO ASSIST THE TASK FORCE IN ITS DUTIES.

23 (c) THE MEETINGS OF THE TASK FORCE ARE OPEN TO THE PUBLIC.
24 THE TASK FORCE SHALL GIVE FULL AND TIMELY NOTICE TO THE PUBLIC BY
25 POSTING A NOTICE OF THE DATE AND TIME OF THE MEETING IN A
26 DESIGNATED PUBLIC PLACE PRIOR TO HOLDING THE MEETING. THE NOTICE
27 MUST INCLUDE SPECIFIC AGENDA INFORMATION WHERE POSSIBLE. THE

1 TASK FORCE MAY ACCEPT REPORTS AND PUBLIC TESTIMONY AND MAY
2 REQUEST OUTSIDE ENTITIES TO PROVIDE TESTIMONY, WRITTEN COMMENTS,
3 AND OTHER RELEVANT DATA TO THE TASK FORCE.

4 (d) ON OR BEFORE JANUARY 15, 2015, THE TASK FORCE SHALL
5 SUBMIT A WRITTEN REPORT WITH ITS FINDINGS TO THE PUBLIC HEALTH
6 CARE AND HUMAN SERVICES COMMITTEE OF THE HOUSE OF
7 REPRESENTATIVES AND THE HEALTH AND HUMAN SERVICES COMMITTEE OF
8 THE SENATE. A MEMBER OF THE TASK FORCE MAY SUBMIT A DISSENTING
9 OPINION TO THE COMMITTEES WITH THE TASK FORCE REPORT.

10 (e) LEGISLATIVE COUNCIL AND THE OFFICE OF LEGISLATIVE LEGAL
11 SERVICES SHALL NOT PROVIDE STAFF FOR THE TASK FORCE.

12 (5) THIS SECTION IS REPEALED, EFFECTIVE DECEMBER 31, 2015.

13 **SECTION 2. Act subject to petition - effective date.** This act
14 takes effect at 12:01 a.m. on the day following the expiration of the
15 ninety-day period after final adjournment of the general assembly (August
16 6, 2014, if adjournment sine die is on May 7, 2014); except that, if a
17 referendum petition is filed pursuant to section 1 (3) of article V of the
18 state constitution against this act or an item, section, or part of this act
19 within such period, then the act, item, section, or part will not take effect
20 unless approved by the people at the general election to be held in
21 November 2014 and, in such case, will take effect on the date of the
22 official declaration of the vote thereon by the governor.