WORKERS’ COMP

Firefighters and peace officers have challenging jobs that often take them to the frontlines of graphic, dangerous and devastating emergency situations.

Recent statistics demonstrate that emergency responders are suffering in silence and endure post-traumatic stress injuries at an alarming rate. In a 2017 study, the Ruderman Family Foundation found that 243 firefighters and police officers committed suicide that year, compared to 222 who died in the line of duty.

State Sen. Henry Stern, D-Canoga Park, on Friday introduced Senate Bill 542, which creates a rebuttable workers’ compensation presumption for firefighters and law enforcement officers who claim PTSI work-related injuries.

Stern said that the bill is his top priority for the session, born in recognition of the heightened stress from a "new abnormal" of mass shootings and California’s strengthening wildfires. If passed, the presumption would apply to PTSI claims from the 2017 and 2018 Borderline shooting and the Tubbs, Thomas, Hill, Woolsey, Carr, Camp and Paradise fires.

“I have a ton of sympathy for the men and women that go out and do these jobs,” Stern said. “There is such a pride and determination to be excellent and be professional all the time. But I feel like it’s our job in government to let them know that they don’t have to be perfect all the time and be unfeeling. They are not machines.”

The California labor code currently offers rebuttable presumption for work-related injuries such as cancer and certain infectious diseases, but this proposed legislation would pave the way for PTSI claims.

Carroll Wills, communications director for California Professional Firefighters, said that much like breaking a bone on the job, PTSI is an "occupational hazard." Wills said the legislation offers a “human and humane approach to these injuries.”

“Law enforcement officers see sights that can’t be unseen,” Wills said. “On a regular basis, they are exposed to the horrors of life. They come in and respond when the worst things to people are happening.”
But there’s concern from rural counties and local cities that will have to pick up the tab for state worker injury payouts and ultimately bear the burden of disproving PTSI claims. It’s a potentially challenging feat given how tracing causes of mental health issues can be difficult.

“It’s going to be expensive,” Paul A. Smith, vice president of governmental affairs with the Rural County Representatives of California, said. “Be prepared for premiums to go up. You have to assume that 90, 95 percent of sworn officers will file it.”