
HOUSE BILL 2758

State of Washington

66th Legislature

2020 Regular Session

By Representatives Corry, Pettigrew, Chandler, Davis, Eslick, McCaslin, Dent, Morgan, Gildon, Lekanoff, and Pollet

Read first time 01/21/20. Referred to Committee on Labor & Workplace Standards.

1 AN ACT Relating to recognizing posttraumatic stress disorders of
2 911 emergency dispatch personnel; and amending RCW 51.08.142.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 51.08.142 and 2018 c 264 s 2 are each amended to
5 read as follows:

6 (1) Except as provided in subsection (2) of this section, the
7 department shall adopt a rule pursuant to chapter 34.05 RCW that
8 claims based on mental conditions or mental disabilities caused by
9 stress do not fall within the definition of occupational disease in
10 RCW 51.08.140.

11 (2)(a) Except as provided in (b) and (c) of this subsection, the
12 rule adopted under subsection (1) of this section shall not apply to
13 occupational disease claims resulting from posttraumatic stress
14 disorders of firefighters as defined in RCW 41.26.030(~~((16))~~) (17)
15 (a), (b), (c), and (h) and firefighters, including supervisors,
16 employed on a full-time, fully compensated basis as a firefighter of
17 a private sector employer's fire department that includes over fifty
18 such firefighters, and law enforcement officers as defined in RCW
19 41.26.030(~~((18))~~) (19) (b), (c), and (e), and 911 emergency dispatch
20 personnel who receive calls for assistance and dispatch emergency
21 services.

1 (b) For firefighters as defined in RCW 41.26.030(~~((16))~~) (17)
2 (a), (b), (c), and (h) and firefighters, including supervisors,
3 employed on a full-time, fully compensated basis as a firefighter of
4 a private sector employer's fire department that includes over fifty
5 such firefighters, and law enforcement officers as defined in RCW
6 41.26.030(~~((18))~~) (19) (b), (c), and (e) hired after June 7, 2018,
7 and 911 emergency dispatch personnel hired after the effective date
8 of this section, (a) of this subsection only applies if the
9 firefighter or law enforcement officer or 911 emergency dispatch
10 personnel, as a condition of employment, has submitted to a
11 psychological examination administered by a psychiatrist licensed in
12 the state of Washington under chapter 18.71 RCW or a psychologist
13 licensed in the state of Washington under chapter 18.83 RCW that
14 ruled out the presence of posttraumatic stress disorder from
15 preemployment exposures. If the employer does not provide the
16 psychological examination, (a) of this subsection applies.

17 (c) Posttraumatic stress disorder for purposes of this subsection
18 (2) is not considered an occupational disease if the disorder is
19 directly attributed to disciplinary action, work evaluation, job
20 transfer, layoff, demotion, termination, or similar action taken in
21 good faith by an employer.

--- END ---