

# CONFERENCE COMMITTEE REPORT FORM

Austin, Texas

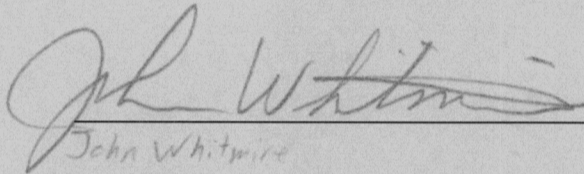
May 25<sup>th</sup> 2019  
Date

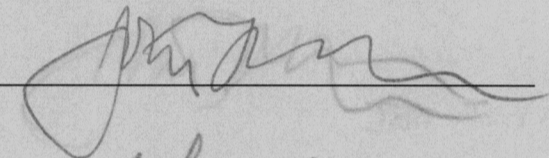
Honorable Dan Patrick  
President of the Senate

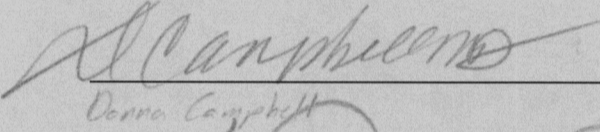
Honorable Dennis Bonnen  
Speaker of the House of Representatives

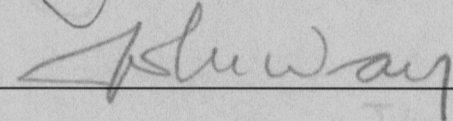
Sirs:

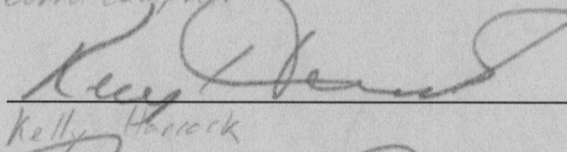
We, Your Conference Committee, appointed to adjust the differences between the Senate and the House of Representatives on HB 2143 have had the same under consideration, and beg to report it back with the recommendation that it do pass in the form and text hereto attached.

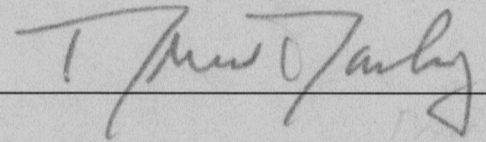
  
John Whitmire

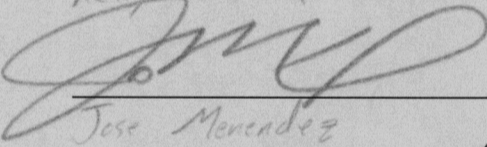


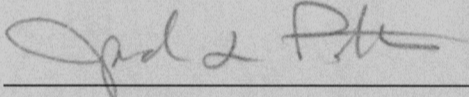
  
Donna Campbell

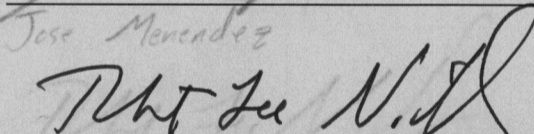



  
Kelly Hancock



  
Jose Menendez



  
Robert L. Nichols  
On the part of the Senate

  
On the part of the House

**Note to Conference Committee Clerk:**

Please type the names of the members of the Conference Committee under the lines provided for signature. Those members desiring to sign the report should sign each of the six copies. Attach a copy of the Conference Committee Report and a Section by Section side by side comparison to each of the six reporting forms. The original and two copies are filed in house of origin of the bill, and three copies in the other house.



# CONFERENCE COMMITTEE REPORT

3<sup>rd</sup> Printing

H.B. No. 2143

A BILL TO BE ENTITLED

AN ACT

relating to the eligibility of a first responder for workers' compensation benefits for post-traumatic stress disorder.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 504.019, Labor Code, is amended by amending Subsection (b) and adding Subsection (c) to read as follows:

(b) Post-traumatic stress disorder suffered by a first responder is a compensable injury under this subtitle only if it is based on a diagnosis that:

(1) the disorder is caused by one or more events [~~an event~~] occurring in the course and scope of the first responder's employment; and

(2) the preponderance of the evidence indicates that the event or events were [~~was~~] a producing cause [~~substantial contributing factor~~] of the disorder.

(c) For purposes of this subtitle, the date of injury for post-traumatic stress disorder suffered by a first responder is the date on which the first responder first knew or should have known that the disorder may be related to the first responder's employment.

SECTION 2. The change in law made by this Act applies only to a claim for workers' compensation benefits based on a compensable injury that occurs on or after the effective date of

1 this Act. A claim based on a compensable injury that occurs before  
2 that date is governed by the law as it existed on the date the  
3 compensable injury occurred, and the former law is continued in  
4 effect for that purpose.

5 SECTION 3. This Act takes effect September 1, 2019.

**House Bill 2143**  
Conference Committee Report  
Section-by-Section Analysis

HOUSE VERSION

SECTION 1. Section 504.019, Labor Code, is amended by amending Subsection (b) and adding Subsection (c) to read as follows:

(b) Post-traumatic stress disorder suffered by a first responder is a compensable injury under this subtitle only if it is based on a diagnosis that:

(1) the disorder is caused by one or more events [~~an event~~] occurring in the course and scope of the first responder's employment; and

(2) the preponderance of the evidence indicates that the event or events were [~~was~~] a ***substantial contributing factor*** of the disorder.

(c) For purposes of this subtitle, the date of injury for post-traumatic stress disorder suffered by a first responder is the date on which the first responder first knew or should have known that the disorder may be related to the first responder's employment.

SECTION 2. Saving provision.

SECTION 3. This Act takes effect September 1, 2019.

SENATE VERSION (CS)

SECTION 1. Section 504.019, Labor Code, is amended by amending Subsection (b) and adding Subsection (c) to read as follows:

(b) Post-traumatic stress disorder suffered by a first responder is a compensable injury under this subtitle only if it is based on a diagnosis that:

(1) the disorder is caused by one or more events [~~an event~~] occurring in the course and scope of the first responder's employment; and

(2) the preponderance of the evidence indicates that:  
(A) the event or events described by Subdivision (1) were [~~was~~] a substantial contributing factor of the disorder; ***and***  
***(B) if not for the event or events described by Subdivision (1), the disorder would not have occurred.***

(c) For purposes of this subtitle, the date of injury for post-traumatic stress disorder suffered by a first responder is the date on which the first responder first knew or should have known that the disorder may be related to the first responder's employment.

SECTION 2. Same as House version.

SECTION 3. Same as House version.

CONFERENCE

SECTION 1. Same as House version, except as follows:

(2) the preponderance of the evidence indicates that the event or events were [~~was~~] a ***producing cause*** of the disorder.

SECTION 2. Same as House version.

SECTION 3. Same as House version.

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 86TH LEGISLATIVE REGULAR SESSION**

**May 25, 2019**

**TO:** Honorable Dan Patrick, Lieutenant Governor, Senate  
Honorable Dennis Bonnen, Speaker of the House, House of Representatives

**FROM:** John McGeady, Assistant Director    Sarah Keyton, Assistant Director  
Legislative Budget Board

**IN RE: HB2143** by Turner, John (Relating to the eligibility of a first responder for workers' compensation benefits for post-traumatic stress disorder.), **Conference Committee Report**

|  |
|--|
| <p><b>No significant fiscal implication to the State is anticipated.</b></p> |
|--|

The bill would amend the Labor Code relating to the eligibility of a first responder for workers' compensation benefits for post-traumatic stress disorder. The bill would add to the diagnosis that post-traumatic stress disorder is caused by one or more events occurring in the course and scope of the first responder's employment as a compensable injury for peace officers and firefighters.

Based on the analysis of the Texas Department of Insurance, State Office of Risk Management, and Commission on Fire Protection, this analysis assumes that the duties and responsibilities associated with implementing the provisions of the bill could be accomplished by utilizing existing resources.

The Commission on Law Enforcement cannot estimate the number of employees who might need treatment as a result of the bill.

The bill would take effect September 1, 2019.

**Local Government Impact**

The Texas Association of Counties anticipates a significant fiscal impact to the Texas Association of Counties Risk Management Pool. However, the bill is not expected to have a significant fiscal impact to counties.

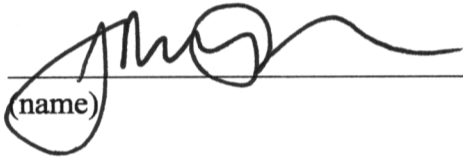
**Source Agencies:**     454 Department of Insurance, 479 State Office of Risk Management, 407  
Commission on Law Enforcement, 411 Commission on Fire Protection

**LBB Staff:** WP, AF, CLo, SGr, CP, SD, ASa

**Certification of Compliance with  
Rule 13, Section 6(b), House Rules of Procedure**

Rule 13, Section 6(b), House Rules of Procedure, requires a copy of a conference committee report signed by a majority of each committee of the conference to be furnished to each member of the committee in person or, if unable to deliver in person, by placing a copy in the member's newspaper mailbox at least one hour before the report is furnished to each member of the house under House Rule 13, Section 10(a). The paper copies of the report submitted to the chief clerk under Rule 13, Section 10(b), must contain a certificate that the requirement of Rule 13, Section 6(b), has been satisfied, and that certificate must be attached to the copy of the report furnished to each member under Rule 13, Section 10(d). Failure to comply with this requirement is not subject to a point of order under Rule 13.

I certify that a copy of the conference committee report on HB 2143 was furnished to each member of the conference committee in compliance with Rule 13, Section 6(b), House Rules of Procedure, before submission of the paper copies of the report to the chief clerk under Rule 13, Section 10(b), House Rules of Procedure.

  
\_\_\_\_\_  
(name)

May 25<sup>th</sup>, 2019  
(date)