

Labor and Public Employees Committee JOINT FAVORABLE REPORT

Bill No.: HB-6954

AN ACT ADDING WITNESSING A SERIOUS PHYSICAL INJURY AS A
QUALIFYING EVENT FOR PURPOSES OF POST-TRAUMATIC STRESS

Title: INJURY WORKERS' COMPENSATION COVERAGE.

Vote Date: 3/13/2025

Vote Action: Joint Favorable

PH Date: 2/20/2025

File No.: 312

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SPONSORS OF BILL:

Labor & Public Employees Committee

REASONS FOR BILL:

[Click [here](#) and Enter Reasons for Bill]

RESPONSE FROM ADMINISTRATION/AGENCY:

None provided.

NATURE AND SOURCES OF SUPPORT:

Ashley Alexander: Supports the bill, talks about PTSD and how it does not affect only few people, it is a documented, diagnosable condition that results from exposure to traumatic events, and our first responders and correction officers face regularly. States that by telling people that their trauma is not severe enough sends a dangerous message and that contributes to stigma surrounding mental health, discouraging those in need from seeking treatment out of fear of being judged, ridiculed, or even forced out of their profession. Stated that they would never refuse anyone who has been hurt in the line of duty, give examples like a firefighter inhaling smoke, and a police officer getting shot, and emphasizes that PTSD is not a choice, and it is a life-altering condition that, if left untreated, can lead to substance abuse, broken families, and, tragically, even suicide. Lastly, states that by refusing to recognize PTSD as a compensable work-related injury, we are failing those who dedicate their lives to protecting us and must do better.

Anonymous, Correction Officer: Supports the bill, stating personal experience, family and friends see change, and is more reclusive and skeptical. Mentions personal work experiences, like m hangings, stabbings, officer assaults, even feces smearing, and more. It is joked about it and dismiss the subject. Mentions that incidents do not need to be experienced firsthand and officers that witness or review surveillance post incident are just as impacted. transferred from a maximum to a low level in 2023, saw bodies hanging in empty cells, but it was reflection passing by. Strongly supports the bill.

Anonymous, LCSW: Supports the bill, states that witnessing a serious physical injury of another person can cause intense PTSD and could make it difficult in everyday life. Mentions individuals with severe trauma can heal and return to typical level of functioning after a period of treatment. Lastly states people in law enforcement and the justice system are at risk of exposure to serious injury and witnessing the injury of another person.

Joanne Collins: Supports the bill, states seeing firsthand the toll that high-stress professions take on those who dedicate their lives to protecting and serving communities. Mentions trauma not always from witnessing a single horrific event, but it accumulates over time. States that PTSD can come from different ways, like violence, threats, and the weight of responsibility. Hear calls for better mental health support, but little action is taken, and first responders and correction officers should not have to suffer in silence.

Frankie Forbes, Police Officer, Stamford Police Dept.: Supports the bill, witnessed horrifying physical injuries and traumatic events, and seen the changes in colleagues. States that officers have been mentally and physically effected by such events and they cannot perform their duties. Urges to support the bill.

Robin Grant-Hall, Ph.D. Trauma Psychologist, Private Practice: Supports the bill, states that PTSD is a result of the first responder's brain dealing with the unexpected and being overwhelmed. States that corrections personnel who witness any high stress incident should qualify for PTSD, and witnessing of a co-worker or inmate being injured by self or others needs to qualify for worker's comp. Feels very strongly that the first responder needs to be evaluated by an objective state vetted mental health professional for PTSD and the actual incident scenario should not be defined at all. Lastly states that the cause of PTSD, is not based on professional standards, theory, and research and it is simplistic and inaccurate.

Melanie Kolek, Legal Counsel - Connecticut Education Association, Supports

Supports the bill, agrees with the proposed language of this bill, but does not go far enough and Workers' Compensation Act needs to be expanded to include mental and emotional impairments for all employees. States examples from teachers getting physically hurt by the students and the fear of returning to school is emotionally traumatizing. Heard arguments against this expansion for the last fourteen years, and states that checks and balances to prevent abuse are already in place. There are significant burdens placed upon the employee to prove a physical injury, and emotional impairments would fall under that. Stresses the need for health services available to everyone and not deny the treatment for the working population. Lastly states that the inclusion of mental and emotional claims for all employees is necessary.

Dianne Moynihan, Behavioral Clinical Director - Connecticut Department of Correction, Supports

Supports the bill, witnessed the acute and cumulative effects of trauma and stress, states a quote that correctional professionals hold 3 of the “Top 10 most stressful public safety jobs in the U.S.” As EAU Director, witnessed the effects of trauma in the workforce and how it would affect families and the community. Stated that officers witness acts of violence, and the ongoing trauma will change their brain chemistry, exposing them to a lifetime sentence of PTSD/PTSI symptoms. Trauma is treatable but left untreated can compromise the integrity and safety of the correctional system. States a study with correctional officers, which have the highest rates of PTSD, and have the highest rates of mortality, divorce, addiction, medical illnesses, and suicide. Mentions that the law currently allows mental health treatment for a PTSD diagnosis if a staff witness death or bodily mutilation. Also states that in September of 2019, the peer support program provided services for 6189 staff, 42% of these individuals are diagnosed, treated, or describe symptoms consistent with trauma (PTSD/PTSI), and includes 59 suicidal staff.

Sara Namazi, PhD, Supports

Supports the bill, states that working in corrections can have a tremendously negative impact on employee health and life expectancy, and employees are at a significant risk for Post-Trauma Stress Disorder (PTSD) and Post-Trauma Stress Injury (PTSI). Mentions that correctional workers sacrifice their own safety as part of their job, and as a result, face heightened risks and challenges daily that put them at a risk of PTSD or PTSI. States the current law, which only qualifies employees for worker's compensation who witness a serious physical injury to a person that results in the death or permanent disfigurement, and witnessing serious physical injuries is not included. Lastly states that by the legislators backing this bill, legislators will stand behind current evidence and science that supports the need to provide adequate care, support, and compensation for individuals whose occupations put them at a significant risk for violent incidents and danger. Lists of studies for each argument and added reference page.

Kim Novak, LCSW - 1st Responder Trauma Therapist, Supports

Supports the bill, encourage the adaptation of specific qualifying events for Correction Officer PTSD that are based on Corrections Administrative Directive 6.6, which includes traumatic incidents that are more relevant to their occupational experiences.

AJ Salce, Police Officer – Bridgeport Police Department, Supports

Supports the bill, states that it is not just a job, it is a calling, and it demands courage, commitment, and sacrifice. Mentions that police officers and firefighters face dangerous and high-stress situations daily, whether that is responding to emergencies, fighting crime, and saving people from fire and disasters. States that this profession take a significant physical and emotional toll and the nature of this profession and cannot work into old age, and police officers often retire earlier due to the physical demands of our job. Argues that pensions help attract and retain highly skilled individuals in these essential roles and a benefit and a necessary investment in those who dedicate their lives to public service. Often encounter traumatic situations, which can take a mental toll, as well as witnessed serious physical injuries. Urges worker's compensation benefits for PTSD.

Paul Vance, Chair – CTLA Workers Compensation Section, Supports

Supports the bill, states that witnessing a traumatic event can be psychologically damaging. Mentions that strong correlation between witnessing trauma and the development of PTSD based on studies, and more than half of all PTSD cases are associated with having

witnessed trauma. He urges the committee to amend the bill to expand workers' compensation coverage to all workers who experience post-traumatic stress.

Angelique Fitzmorris, Supports

Supports the bill, states support for first responders.

Jody Barr, Executive Director – AFSCME Council 4, Supports

Supports the bill, states that workers deserve access to the care and resources they need when they experience a traumatic event. She also states that this bill would help close a gap in current coverage by recognizing the significant impact that can harm a worker's mental health when they witness a serious physical injury. She argues that a public safety worker, who may have to use force and then save that person's life, should not lack coverage simply because the person didn't die. She urges legislation that this bill is essential in ensuring that all workers receive the coverage they need if they are diagnosed with PTSD.

Stephanie Switzer, Psychotherapist - Top of Your Game, LLC, Supports

Supports the bill, states that current regulation does not include witnessing serious physical injury as a qualifying event for workers' compensation coverage. Mentions that anyone witnessing trauma can result in PTSD. She states that first responders had their claims rejected due to current restrictions. Urges for the bill to be passed, states that first responder workers' compensation denials and the related battles need to be addressed. She lastly states that first responders risk their lives for our safety and witness gruesome acts of violence, including, at times, to their closest friends.

Joshua Alexander, Correction Officer - Department of Corrections, Supports

Supports the bill, states witnessing horrific assaults, as well as being assaulted. He mentioned suffering a concussion and was out of work for several days, as well as witnessing an inmate murder another inmate. States that he started experiencing panic attacks in October of 2022, and the assault he experienced replayed in his mind every time he stepped into the building. His PTSD got worse in May of 2023 and was diagnosed with cancer two months after, had to take time off work, and has exhausted all paid time off. Chemotherapy left him too weak to perform his job, as well as defend others and himself. His fears intensified, PTSD got worse, and when chemotherapy was over, he needed to go back for PTSD treatment. Listed a study from Southern Illinois University about life expectancy in correctional officers, which have a life expectancy of 59 years. States that correction officers make a lot of sacrifices and deserve the ability to seek treatment. Urges to pass the bill.

Anonymous, Correction Officer, Supports

Supports the bill.

Ashley Badera, Support Witnessing Injury, Supports

Supports the bill, states that she is a correctional officer for 12+ years, as well as physically exhausted and her career makes her other jobs harder. Mentions that she sees her traumatic experiences, whether that is doing dishes and seeing blood, and opening the closet and see a hanging figure. States that every time she sets foot in a correctional setting, she will see an "event" happen and is expected to continue to work at peak performance for 8 to 16 hours & manage home duties at peak performance as well. She also states that she must remain professional when her mood swings are in full force, must remain unbiased,

expected to be emotionless in front the inmates and will be disciplined for using her time excessively.

John Covello, Police Constable – Town of Woodbury, Supports

Supports the bill, states that the Town of Woodbury has the "Rule 75", which stipulates that an officer's years of service, combined with their age, must equal 75 to retire with full benefits and the Town of Woodbury does not prioritize hiring younger officers. He states that this system leaves officers with little security and no path to retire with dignity. Mentions that law enforcement and firefighting are physically demanding professions and the expectation that we can continue to meet the physical demands of these high-intensity jobs well into later years is unrealistic and, frankly, unfair. States support for the inclusion of psychological trauma as a qualifying event for workers' compensation claims. He argues that PTSD and other mental health challenges are often overlooked and just as debilitating as physical injuries and speaks on his traumatic experience with another officer. Since the events, the town was convinced to allow three days of administrative assignments to help work through the events, but the town was not equipped to properly handle the emotional toll of incidents with officers. He states that from witnessing what happened with the officer, the traumatic experience would not be covered under the workers' compensation laws. Urges to support the bill.

Stephen Grimalli, Executive Board - Stratford Police Union, Supports

Supports the bill, listed articles in support.

Ed Hawthorne, President – Connecticut AFL-CIO, Supports

Supports the bill, states that many workers who have encountered traumatic events at work are struggling with anxiety, depression, post-traumatic stress, sleeplessness, and other mental health issues and these injuries should be treated no differently than a worker's physical injury. He mentions the current statute and each person responds differently to what they see and experience. States that HB 6954 understands the danger and tragedy these workers face on a regular basis and urges legislation to support the bill.

Phyllis DiGioia, CEO – Honor Wellness Center, Supports

Supports the bill, states that all human brains are not created equally and therefore do not respond the same to traumatic experiences. She mentions that there are many equally traumatizing cases that do not result in death that happen every day in first responder's career. Urges to do better for public safety-first responders, as well as treat them with care.

Jill Kidik, Hartford Police Department, Supports

Supports the bill, states that he saw things no one should ever see, and was told to "get over it and take your calls for service" for over a decade. Mentions that if he spoke up about his feelings, that was a sign of weakness and could not handle the job. She states that she feels great guilt of what happened on 5/17/18, describing the events of what happened that day, and the number of people traumatized and later diagnosed with PTSD is heavy on her shoulders. She argues that Workers Compensation companies do not want to talk about or acknowledge feelings as injuries. She denied her PTSD for years, and it comes up when you least expect it. Urges for this bill to be passed.

Janine Baryza-Ly, Supports

Supports the bill, states that first responders and corrections officers need support and access to help for PTSD acquired on the job and take care of people that keep the public safe. Lastly states that it is imperative to have Connecticut's leadership create healthy and supportive systems for those who we rely on in the most intense situations.

Ronald Mercado, Sergeant – Bridgeport Police Department, Supports

Supports the bill, states that this bill is extremely important to our first responders. Served as a police officer for over 24 years. Mentions that he, and the other members of service, have witnessed countless incidents which include homicides, suicides, shooting victims, severe motor vehicle accidents, sexual assaults, violent assaults, and countless other types of serious and gruesome scenes. He argues that providing treatment for the results of traumatic incidents can drastically extend the careers of public servants. States that he has been affected by sudden and traumatic losses of two of his academy classmates. Urges to support the bill.

Mark Pappas, Police Officer – Bridgeport Police Department, Supports

Supports the bill.

Stephanie Switzer, Psychotherapist - Top of Your Game, LLC, Supports

Supports the bill, states the current statute, and adds in that anyone who has witnessed trauma can result in PTSD. She states that first responders' claims are being rejected due to current restrictions. Urges to support the bill, states that the missing language related to witnessing trauma leads to further traumatization of the responders. Argues that first responders risk their lives for our safety and witness gruesome acts of violence. Lastly mentions that if this piece is not added, then we are the blame for them not getting the treatment they deserve.

Jack Wallace, Parole Officer – Department of Corrections, Supports

Supports the bill, states that the men and woman who work inside our prisons and parole officers who work in the community deserve PTSD protection due to the events we/they witness daily. Knows people that have nightmares and continue their duty working at the Department of Corrections, but dealing what they witness goes unchecked. Urges the bill to be passed.

Kim Novak, First Responder Trauma Therapist – LCSW, Supports

Supports the bill, states that the first responders she treated for PTSD and who have filed for workers compensation claims had their PTSD diagnosis published on the Connecticut Workers Compensation Commission Public Access Reporting System and their PTSD diagnosis was public. She states that she called Workers Compensation Commission to raise concerns about privacy violations, was told they would try to remove the data element showing PTSD from the public record online but that it would still be available under FOI requests and that PTSD designation shown on their public website was not part of a medical record. States that this is unacceptable, as well as there is a need to revise HIPAA and FOI laws as it relates to these Workers Compensation and mental health privacy matters. Requests immediate legislative action to protect first responders' privacy rights. She recommends expanding workers compensation and HIPAA laws. Urges the protection for first responders.

NATURE AND SOURCES OF OPPOSITION:

Kristina Baldwin, Vice President – APCIA, Opposes,

Joint testimony opposing the bill, stating that the reforms were necessary to fix the badly broken system that saw significant annual increases to workers' compensation insurance rates and resulted in excessive costs for businesses and taxpayers. Mentions that insurance rates have steadily declined, workplace injuries and claim volumes have declined as well over the past eleven years. States that PTSI are prone to potential misuse, unlike injuries which are verified through MRIs and X-rays. Argues that expanding eligibility beyond the current framework, which employees have unlimited medical coverage, wage replacement benefits, and indemnity payments, would increase costs for employers, local governments, and self-insured entities. Also argues that expanding PTSI coverage without a physical injury requirement would drive up insurance premiums and impose significant financial strain on businesses and municipalities. Urges legislation to oppose the bill.

Exact Testimony From:

- Christopher Nicolopoulos, Senior Regional Vice President – APCIA
- Brooke Foley, General Counsel – Insurance Association - APCIA

Zachary McKeown, Advocacy Manager - Connecticut Conference of Municipalities, Opposes

Opposes the bill, stating the creation of PA 19-17, and the change to the statute to PA 23-35. H states that CCM does not understand the need or problem the bill is trying to address. Argues that adding a major change is vague and will likely create confusion and frustration amongst workers and employers as well, also will likely result in higher insurance premiums and additional administrative burdens. Lastly states that adding in "witnessing a serious injury" is overly broad and vague. Urges legislation to oppose this bill.

John Blair, President - Motor Transportation Association of Connecticut, Opposes

Opposes the bill, stating that the company is constantly challenged with the cost of doing business in the state of Connecticut, having been faced with increasing costs over the last several years, which include workers compensation coverage, health insurance premiums, property and casualty insurance premiums, highway use fee payments, excise/fuel taxes and more. States current inflation regarding grocery, and household goods. He argues that continuing to make changes could have a detrimental effect and watering down the model in place today. He clarifies that the company is sympathetic to those who experience an event that gives them post-traumatic stress injury, but do not agree with the remedy for PTSI solved through inclusion in the workers compensation program. Urges for legislation to oppose the bill.

Pete Myers, Senior Public Policy Associate – CBIA, Opposes

Opposes the bill, states that committee to refrain from adjusting the current qualifying events until more time has passed to adequately assess the impact on employers, since there was a change in the 2022 session. He argues that frequent alterations to the system disrupt business operations and can lead to confusion and compliance challenges, since businesses need a stable and predictable workers' compensation system to operate efficiently. Argues that by expanding the workers' compensation program could result in higher insurance premiums and additional administrative burdens. Also argues that expanding workers' compensation may lead to an increase in workers' compensation claims and subsequent litigation, which could result in prolonged legal battles and delays in the adjudication of claims in the workers' compensation system, and it could lead to disputes over the validity of claims and the extent of coverage when witnessing serious physical injuries. Urges legislation to oppose the bill.

Reported by: Matthew Domejczyk

Date: 3/27/2025