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# Wisconsin Legislative Council

## AMENDMENT MEMO

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**2019 Senate Bill 511**

**Assembly Substitute  
Amendment 1**

### 2019 SENATE BILL 511

2019 Senate Bill 511 allows post-traumatic stress disorder (PTSD) in a law enforcement officer or full-time member of a fire department to be covered by worker's compensation in certain circumstances.

Specifically, under the bill, a worker's compensation claim by a law enforcement officer or a full-time member of a fire department may be compensable for a mental injury that results in PTSD if the PTSD diagnosis is made by a licensed psychiatrist or psychologist and the mental injury arose out of and in the course of the employment. The bill specifies that the diagnosis does not need to be based on unusual stress of greater dimensions than the day-to-day emotional strain and tension that may be experienced by similarly situated employees.

The bill limits the period of disability for which worker's compensation can be paid to a law enforcement officer or full-time member of a fire department for a mental injury that results in PTSD to 32 weeks from the first report of the injury.

### ASSEMBLY SUBSTITUTE AMENDMENT 1

Assembly Substitute Amendment 1 retains the PTSD coverage provisions of the bill, with one modification, and adds certain other worker's compensation provisions.

Regarding the worker's compensation coverage of PTSD for a law enforcement officer or full-time member of a fire department, the substitute amendment specifies that compensation for PTSD is limited to three times in the person's lifetime. The lifetime limit on receiving compensation for PTSD applies regardless of changes in employment.

Regarding the other worker's compensation provisions, the substitute amendment addresses the following topics:<sup>1</sup>

- Specifies that the employer and employer's insurance company are subject to the statute of limitations, rather than only the employee and any dependents, as specified under current law.
- Allows a client of an employee leasing company to elect to be responsible for the worker's compensation coverage for leased employees, subject to certain requirements.
- Requires a health care provider to furnish a complete billing statement within 30 days of receiving a request from the employer's insurance company.
- Allows an employer or the employer's insurance company to elect to provide a lump sum payment, rather than payments in five annual installments as specified under current law, to the work injury

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<sup>1</sup> The additional provisions in the substitute amendment are also among the provisions of 2019 Senate Bill 673, which were agreed upon and recommended by the worker's compensation advisory council.

supplemental benefit fund in circumstances when an injury results in death and a person has no dependents.

- Specifies that a payment is not due to the work injury supplemental benefit fund when an injury results in death and a person has no dependents, in circumstances when a person violated a work policy concerning alcohol or drug use and the violation is a cause of the injury.

## **BILL HISTORY**

Assembly Substitute Amendment 1 was offered by Representative Horlacher on February 18, 2020. On February 20, 2020, the Assembly adopted the substitute amendment, and concurred in the bill, as amended, on voice votes.

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