

Amendment - 2nd Reading-yellow - Requested by: Cora Neumann - (S) Committee of the Whole

- 2025

69th Legislature 2025

Drafter: Chanan Brown,

SB0394.001.001

SENATE BILL NO. 394

INTRODUCED BY C. NEUMANN, J. REAVIS, G. HUNTER, W. MCKAMEY, D. HARVEY, M. YAKAWICH, B. USHER, P. FLOWERS

A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING FOR WORKERS' COMPENSATION COVERAGE OF POSTTRAUMATIC STRESS DISORDER FOR FIRST RESPONDERS; PROVIDING A DEFINITION; AMENDING SECTIONS 39-71-105, 39-71-116, AND 39-71-119, MCA; AND PROVIDING AN EFFECTIVE DATE AND AN APPLICABILITY DATE."

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

NEW SECTION. Section 1. Coverage for posttraumatic stress disorder for first responders -- definitions. (1) A first responder may have a compensable claim under Montana's workers' compensation and occupational disease laws relating to posttraumatic stress disorder as provided in this section.

(2) A first responder must be diagnosed with posttraumatic stress disorder, according to the most recent edition that is in publication as of July 1, 2025, of the Diagnostic and Statistical Manual of Mental Disorders published by the American psychiatric association. The diagnosis for posttraumatic stress disorder must find that the injury or occupational disease arises out of the course and scope of employment of the first responder.

(3) A claim for posttraumatic stress disorder is subject to the provisions of Title 39, chapter 71, unless the context requires otherwise.

(4) For the purposes of this section, the term "first responder" means:

(a) a firefighter;

(b) a law enforcement officer;

(c) an employee of a county detention center or prison; or

(d) ~~any other authorized person who responds to an emergency in a professional capacity~~ an emergency care provider as defined in 50-6-202(2).

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2 NEW SECTION. Section 5. Codification instruction. [Section 1] is intended to be codified as an
3 integral part of Title 39, chapter 71, and the provisions of Title 39, chapter 71, apply to [section 1].

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5 NEW SECTION. Section 6. Severability. If a part of [this act] is invalid, all valid parts that are
6 severable from the invalid part remain in effect. If a part of [this act] is invalid in one or more of its applications,
7 the part remains in effect in all valid applications that are severable from the invalid applications.

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9 NEW SECTION. Section 7. Effective date. [This act] is effective July 1, 2025.

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11 NEW SECTION. Section 8. Applicability. [This act] applies to claims for workers' compensation in
12 which a diagnosis finds that the injury or occupational disease of posttraumatic stress disorder was caused by
13 events occurring on or after [the effective date of this act].

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