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TO: The Honorable Melony Griffith
Chair, Finance Committee

FROM: Hannibal G. Williams II Kemerer
Chief Counsel, Legislative Affairs, Office of the Attorney General

RE: SB 406 – Workers’ Compensation – Occupational Disease Presumptions –
First Responders (Support)

The Office of Attorney General supports SB 406, Senator Kagan’s legislation to provide that a first responder who is diagnosed by a licensed psychologist or psychiatrist with post-traumatic stress disorder (“PTSD”) is presumed to have an occupational disease that was suffered in the line of duty and compensable under workers’ compensation law.

According to the Institutes of Health Multi-Specialty Clinics, “[m]ore than 80 percent of first responders experience traumatic events on the job” and, consequently, “first responders are at a high risk of developing PTSD as a work-related injury or condition.”¹ Senate Bill 406 merely recognizes these realities and provides first responders with a rebuttable presumption that their diagnosed PTSD was precipitated by a traumatic work experience.

We think Senator Kagan’s legislation sets a proper tone by doing right by our first responders. Of course, the legislation may lead to more approved claims for workers’ compensation and should be adequately funded.

For the foregoing reasons, we urge a favorable report on SB 406.

cc: Committee Members

¹ See Institutes of Health: Multi-Specialty Clinics, available online at: <https://institutesofhealth.org/ptsd-in-first-responders/> (last visited on Feb. 20, 2023).

This bill letter is a statement of the Office of Attorney General’s policy position on the referenced pending legislation. For a legal or constitutional analysis of the bill, Members of the House and Senate should consult with the Counsel to the General Assembly, Sandy Brantley. She can be reached at 410-946-5600 or sbrantley@oag.state.md.us.