

HB 310 – SB 289

FISCAL NOTE



Fiscal Review Committee
Tennessee General Assembly

March 10, 2025

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SUMMARY OF BILL: Expands the *James Dustin' Samples Act* to law enforcement officers and emergency medical responders. Establishes a presumption, subject to certain criteria, that a diagnosed post-traumatic stress disorder (PTSD) in law enforcement officers and emergency medical responders (EMS) is incurred in the line of duty, and is compensable under the state *Workers' Compensation Law*. Applies to law enforcement officers and emergency medical responders who are diagnosed with PTSD within one year of the law enforcement officer's, or emergency medical responder's final date of employment.

FISCAL IMPACT:

| STATE GOVERNMENT | |
|----------------------------|----------------------|
| EXPENDITURES | Risk Management Fund |
| FY25-26 & Subsequent Years | >\$51,400 |

| LOCAL GOVERNMENT | |
|---|------------|
| EXPENDITURES | Mandatory |
| FY25-26 & Subsequent Years | >\$231,200 |
| Article II, Section 24 of the Tennessee Constitution provides that: no law of general application shall impose increased expenditure requirements on cities or counties unless the General Assembly shall provide that the state share in the cost. | |

Assumptions:

- Based on information provided by the Bureau of Workers' Compensation, to date there have been no PTSD claims for firefighters since the January 1, 2024 enactment of the *James Dustin' Samples Act*.
- According to the Bureau of Labor Statistics and Treasury in Tennessee there are an estimated:
 - 3,540 emergency medical technicians (EMTs);
 - 3,860 paramedics;
 - 17,850 local law enforcement officers;
 - 7,956 state law enforcement officers; and
 - 1,193 retired (within one year) law enforcement officers.
- According to a report from the National Council on Compensation Insurance, 14 percent of emergency medical technicians are diagnosed with PTSD, and 4.7 percent of law enforcement officers are diagnosed with PTSD. For analysis purposes, it is assumed that 14 percent of paramedics are diagnosed with PTSD.

- Passage of the proposed legislation is estimated to increase claims by approximately 0.5 percent each year, estimated to be:
 - 2 claims per year for state law enforcement $\{[(7,956 \text{ active} + 1,193 \text{ retired}) \times 4.7\% \text{ PTSD}] \times .5\% \text{ claims}\}$;
 - 4 claims per year for local law enforcement $[(17,850 \text{ local law enforcement} \times 4.7\% \text{ PTSD}) \times .5\% \text{ claims}]$; and
 - 5 claims per year for EMS workers $\{[(3,540 \text{ EMTs} + 3,860 \text{ Paramedics}) \times 14\% \text{ PTSD}] \times .5\% \text{ claims}\}$.
- According to the National Institutes of Health 2023 study *The Economic Burden of Posttraumatic Stress Disorder in the United States From a Societal Perspective*, the average estimated cost of a PTSD claim in the U.S. is \$25,684.
- The Department of Treasury's Division of Claims and Risk Management administers all workers' compensation claims for state agencies.
- The increase to the Treasury's Division of Claims and Risk Management is estimated to exceed \$51,368 $(\$25,684 \times 2 \text{ claims})$ in FY25-26 and subsequent years.
- The Bureau of Workers' Compensation provides that claims benefits to local government employees are paid by insurance carriers or self-insured employers, not the Bureau of Workers' Compensation.
- Emergency medical responders and local law enforcement are employed by local governments.
- The increase to local governments is estimated to exceed \$231,156 $[\$25,684 \times (4 \text{ local law enforcement} + 5 \text{ EMS})]$ in FY25-26 and subsequent years.

IMPACT TO COMMERCE:

NOT SIGNIFICANT

Assumptions:

- The workers' compensation claims for state employee will be paid by Treasury and by local governments for local law enforcement and emergency medical responders.
- While such recipients will receive payments for PTSD injuries, the increase and the extent of treatment and services each recipient will receive is unknown but assumed to not result in a significant increase in business revenue for such treatment and services.
- Any increase in revenue is estimated to result in a corresponding increase in expenditures for the cost to provide the services; therefore, the net impact to commerce is considered to be not significant.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink that reads "Bojan Savic". The signature is written in a cursive, flowing style.

Bojan Savic, Executive Director