

HOUSE BILL NO. HB0139

Workers' compensation-mental injury.

Sponsored by: Representative(s) Watt

A BILL

for

1 AN ACT relating to workers' compensation; removing  
2 limitation on the award of mental injury awards; and  
3 providing for an effective date.

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5 *Be It Enacted by the Legislature of the State of Wyoming:*

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7 **Section 1.** W.S. 27-14-102(a)(xi)(J) is amended to  
8 read:

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10 **27-14-102. Definitions.**

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12 (a) As used in this act:

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14 (xi) "Injury" means any harmful change in the  
15 human organism other than normal aging and includes damage  
16 to or loss of any artificial replacement and death, arising  
17 out of and in the course of employment while at work in or

1 about the premises occupied, used or controlled by the  
2 employer and incurred while at work in places where the  
3 employer's business requires an employee's presence and  
4 which subjects the employee to extrahazardous duties  
5 incident to the business. "Injury" does not include:

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7 (J) Any mental injury unless it is caused  
8 by a compensable physical injury, it occurs subsequent to  
9 or simultaneously with, the physical injury and it is  
10 established by clear and convincing evidence, which shall  
11 include a diagnosis by a licensed psychiatrist or licensed  
12 clinical psychologist meeting criteria established in the  
13 most recent edition of the diagnostic and statistical  
14 manual of mental disorders published by the American  
15 Psychiatric Association. ~~In no event shall benefits for a  
16 compensable mental injury be paid for more than six (6)  
17 months after an injured employee's physical injury has  
18 healed to the point that it is not reasonably expected to  
19 substantially improve.~~

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21 **Section 2.** This act shall apply to cases involving  
22 injuries to workers occurring on or after the effective  
23 date of this act.

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1           **Section 3.** This act is effective July 1, 2014.

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(END)