Department of Planning and Budget
2025 General Assembly Session
State Fiscal Impact Statement

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Bill Number: SB1301-S1 **Patron:** McPike
Bill Title: Workers' compensation benefits; post-traumatic stress disorder, anxiety disorder, or depressive disorder incurred by law-enforcement officers and firefighters.

Bill Summary: Increases from 52 weeks to 104 weeks the maximum duration after the date of diagnosis that workers' compensation benefits are payable for anxiety disorder or depressive disorder incurred by law-enforcement officers and firefighters acting in the line of duty. The bill also increases from 52 weeks to 500 weeks the maximum duration after the date of diagnosis that workers' compensation benefits are payable for post-traumatic stress disorder incurred by law-enforcement officers and firefighters acting in the line of duty.

Budget Amendment Necessary: No. **Items Impacted:** None.
Explanation: The fiscal impact of the proposed legislation is indeterminate; however, it is expected that the number of workers' compensation claims will increase, and those claims are likely to be more expensive by increasing the maximum duration after the date of diagnosis that workers' compensation benefits are payable for post-traumatic stress disorder by law-enforcement officers and firefighters in the line of duty.

Fiscal Summary: The proposed legislation removes the 52-week limit on benefits under the post-traumatic stress disorder (PTSD) provision. According to the Department of Human Resource Management (DHRM), the Virginia Workers' Compensation Commission has held that § 65.2-107 limits the medical and compensation benefits a qualifying claimant may receive for PTSD in exchange for a relaxed evidentiary burden. Increasing the maximum duration after the date of diagnosis that workers' compensation benefits are payable for PTSD from 52 to 500 weeks may increase the number of workers' compensation claims filed with DHRM's Office of Workers' Compensation (OWC) program and those claims are likely to be more expensive because they will not have the 52-week cap provision.

Fiscal Analysis: In review of DHRM's OWC files over the past five years, the average cost of a PTSD claim for first responder professionals was $199,870, with the 52-week cap provision. Although the fiscal impact of the proposed legislation cannot be determined, the cost of each claim is expected to increase significantly without the cap. The increase in claim payments will likely increase the workers' compensation premium for state agencies; however, the increase cannot be determined at this time.

According to the Virginia Workers' Compensation Commission, the proposed legislation is expected to have minimal or no fiscal impact for the agency.

Other: This bill is a companion to HB 2060.