Local Government Mandate Statement Kentucky Legislative Research Commission 2020 Regular Session

Part I: Measure Information

Bill Request #: 1313
Bill #: HB 436
Document ID #:4758
Bill Subject/Title: AN ACT relating to mental health and making an appropriation therefor.
Sponsor: Representative Kim Banta
Unit of Government: X City X County X Urban-County Unified Local
$\underline{\mathbf{X}}$ Charter County $\underline{\mathbf{X}}$ Consolidated Local $\underline{\mathbf{X}}$ Government
Office(s) Impacted: Fire Departments
Requirement: Mandatory Optional
Effect on Powers & Duties: Modifies Existing Adds New Eliminates Existing

Part II: Bill Provisions and the Estimated Fiscal Impact Relating to Local Government

Per the American Psychiatric Association as referenced by HB 436, post-traumatic stress (PTS) injury and disorder is a psychiatric disorder that can occur in people who have experienced or witnessed a traumatic event such as a natural disaster, a serious accident, a terrorist act, war/combat, rape or other violent personal assault. Studies have found that anywhere between approximately 7 percent and 37 percent of firefighters meet the criteria for a current diagnosis of PTSD¹.

HB 436 provides that firefighters receive "Crisis Intervention Team (CIT) Training", same as what law enforcement currently receives and with the following goals in mind:

- To effectively respond to persons suffering from mental illness, substance abuse, mental or developmental disabilities, or dual diagnosis.
- Reduce injuries to firefighter, officers, and citizens;
- Reduce inappropriate incarceration;
- Reduce liability; and
- improve risk management practices for firefighter and law enforcement agencies.

HB 436 stipulates what the CIT training shall include, who shall present the curriculum, and how the curriculum shall be presented. The Kentucky Law Enforcement Council shall approve all of the above criteria.

HB 436 provides \$1,250,000 annually from the Firefighters Foundation Program Fund to fund a program to care for and treat all full-time professional and volunteer firefighters affected with post-traumatic stress (PTS) injury or post-traumatic stress disorder. A firefighter shall not be eligible for disability retirement associated with PTS disorder, nor shall a PTS injury resulting solely from a transfer, promotion, demotion, or termination be considered a compensable injury.

HB 436 provides that the firefighter may request reimbursement for out-of-pocket expenses for mental health treatments paid by the firefighter. Once a firefighter has been diagnosed, and starting from the date of the first treatment, there is a maximum limit of twelve months to receive the benefit.

The impact of HB 436 is indeterminable. This is a new area of concern. As a result, there is very little data available on a state, national, and even world basis. The funding for the program will be from the Firefighter Foundation Program Fund. No general fund money will be used.

Conversations with the Kentucky Firefighter's Association provided the following as a point of reference: there are currently only an estimated ten Lexington-Fayette County Firefighters suffering from PTS. That is from a Department that annually employees an average of 500 firefighters.

Part III: Differences to Local Government Mandate Statement from Prior Versions

Part II refers to HB 436 as introduced.

Data Source(s):LRC Staff, U.S. Fire Administration (within FEMA), Kentucky
Firefighter's Association, Kentucky Professional Firefighters Local A-16

1. Black M.D., Daniel B. Development of PTSD in Firefighters. verywellmind.com. Feb. 2020

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