

# **WORKERS' COMPENSATION IN THE STATE OF NEVADA: *PASSING THE BILL- AB492***

ANGELA LEATH, MSW, LSW

702-229-0068

[ALEATH@LASVEGASNEVADA.GOV](mailto:ALEATH@LASVEGASNEVADA.GOV)

## **DISCLAIMER**

**THE VIEWS AND OPINIONS EXPRESSED IN THE WRITTEN MATERIALS AND IN ANY OF THE PRESENTATIONS AT THIS CONFERENCE ARE THOSE OF THE PRESENTER AND DO NOT NECESSARILY REFLECT THE OFFICIAL POLICY OR POSITION OF THE DEPARTMENT OF BUSINESS AND INDUSTRY, DIVISION OF INDUSTRIAL RELATIONS. THE DIVISION DOES NOT WARRANT THE MATERIALS' COMPLETENESS OR ACCURACY.**



**THE FOLLOWING MAY BE DISTURBING**





ROUTE 91  
HARVEST







FIREFIGHTING WAS THE #2 MOST STRESSFUL  
OCCUPATION IN 2019 (CAREERCAST, 2019)







FIREFIGHTERS/EMT'S MAY EXPERIENCE RATES  
OF PTSD SIMILAR TO COMBAT VETERANS

(IAFF, 2016)







FLORIDA STATE UNIVERSITY STUDY SUGGESTS  
THAT FIREFIGHTERS WITH PTSD MAY BE SIX  
TIMES MORE LIKELY TO ATTEMPT SUICIDE

(IAFF, 2016)





46.8 PERCENT OF FIREFIGHTERS SURVEYED  
IN A FLORIDA STATE STUDY HAVE HAD  
THOUGHTS OF SUICIDE

(IAFF, 2016)







19.2 PERCENT OF FIREFIGHTERS SURVEYED  
HAD SUICIDE PLANS

(IAFF, 2016)







15.5 PERCENT OF FIREFIGHTERS SURVEYED  
HAD MADE SUICIDE ATTEMPTS

(IAFF, 2016)







# FF/EMT'S MORE LIKELY TO DIE FROM SUICIDE THAN LODD

(HEYMAN, DILL & DOUGLAS, 2018)







ONLY ABOUT 40% OF FIREFIGHTER/EMT  
SUICIDES ARE REPORTED ANNUALLY

(FFBHA-FIREFIGHTER BEHAVIORAL HEALTH ALLIANCE. )







# 108 REPORTED SUICIDES IN 2018

(FFBHA-FIREFIGHTER BEHAVIORAL HEALTH ALLIANCE. )







911 CALL-TAKERS AND DISPATCHERS  
REPORT SIGNIFICANT EMOTIONAL DISTRESS  
RELATED TO HANDLING DUTY-RELATED  
CALLS

(PIERCE & LILLY, 2012)







# 911 CALL-TAKERS AND DISPATCHERS HAVE INCREASED RISK OF DEVELOPING POST TRAUMATIC STRESS DISORDER

(PIERCE & LILLY, 2012)



DRAWN BY FIRE™

BY PAUL COMBS



IF ONLY IT WAS THIS OBVIOUS...

Facebook Search: Drawn By Fire

© Paul Combs ArtStudioSeven.com



# SOURCE

INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS (2016), FIRE FIGHTERS CALLING 9-1-1.

HEYMAN, DILL, AND DOUGLAS (2018), THE RUDERMAN WHITE PAPER ON MENTAL HEALTH AND SUICIDE OF FIRST RESPONDERS.

PIERCE, H. AND LILLY, M. (2012) JOURNAL OF TRAUMATIC STRESS: DUTY RELATED TRAUMA EXPOSURE IN 911 TELECOMMUNICATORS: CONSIDERING THE RISK FOR POST-TRAUMATIC STRESS.

FFBHA-FIREFIGHTER BEHAVIORAL HEALTH ALLIANCE



# AGENDA

- DEFINE AB492
- DISCUSS THE IMPORTANCE OF AB492
- IMPLEMENTATION DISCUSSION



# AB 492

- SEE HANDOUT

Assembly Bill No. 492 Assemblyman  
Renteria-Thompson and Roberts

## CHAPTER. ....

AN ACT relating to industrial insurance; revising the circumstances in which a first responder or an employee of the State or a local government is authorized to receive compensation under industrial insurance for certain stress-related claims; requiring an agency which employs a first responder or a volunteer first responder to provide certain educational training concerning mental health issues to the first responder; exempting a claim for certain stress-related injuries suffered by a first responder or an employee of the State or any of its agencies or political subdivisions from certain prohibitions on compensation for an injury and temporary disability; requiring the Administrator of the Division of Industrial Relations of the Department of Business and Industry to include concurrent wages of an injured employee in the calculation of average monthly wage under certain circumstances; and providing other matters properly relating thereto.

### Legislative Counsel's Digest:

Existing law provides that, for the purposes of determining whether an injury or disease caused by stress is compensable under industrial insurance, such an injury is deemed to arise out of and in the course of employment only if the employee can prove by clear and convincing medical or psychiatric evidence that the employee has a mental injury caused by extreme stress in time of danger and that the primary cause of the mental injury was an event that arose out of and during the course of his or her employment. (NRS 616C.183) **Section 2** of this bill provides that a first responder may additionally prove by clear and convincing medical or psychiatric evidence that the mental injury was primarily caused by extreme stress due to the first responder directly witnessing a death or grievous injury, or the aftermath of a death or grievous injury, under certain circumstances during the course of his or her employment. **Section 2** of this bill also provides that an employee of the State or any of its agencies or political subdivisions may additionally prove by clear and convincing medical or psychiatric evidence that the mental injury was caused primarily by extreme stress due to the employee responding to a mass casualty incident during the course of his or her employment. Finally, **section 2** requires an agency which employs a first responder, including, without limitation, a first responder who is a volunteer, to provide educational training to the first responder on the awareness, prevention, mitigation and treatment of mental health issues.

Existing law prohibits the payment of temporary compensation benefits for an injury or temporary total disability which does not incapacitate the employee for a minimum number of days. (NRS 616C.403, 617.420) **Sections 3 and 5** of this bill exempt claims for mental injury caused by extreme stress under the circumstances described by the amendatory provisions of **section 2** from these prohibitions.

Existing law provides that the amount of compensation for certain industrial injuries or death is based, in part, on the average monthly wage of the injured or



80th Session (2019)



# **DON'T FORGET . . .**

**Please fill out the Evaluation Online:  
<http://dir.nv.gov/WCS/Training/>**

➤ **Session 1A- PTSD Bill For First Responders**

**For complimentary Wi-Fi select the Tuscany Conventions**