

HOUSE No. 2690

The Commonwealth of Massachusetts

PRESENTED BY:

Daniel J. Hunt

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to municipal police department employees.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Daniel J. Hunt</i>	<i>13th Suffolk</i>	<i>2/16/2021</i>

HOUSE No. 2690

By Mr. Hunt of Boston, a petition (accompanied by bill, House, No. 2690) of Daniel J. Hunt relative to line-of-duty related mental impairment of municipal police department employees. Public Service.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 2297 OF 2019-2020.]

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Second General Court
(2021-2022)**

An Act relative to municipal police department employees.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Section 1: Chapter 41 of the General Laws, as so appearing in the 2014 Official Edition,
2 is hereby amended by adding the following new section:-

3 Section 34: Any employee of a municipal police department who, preceding the date of
4 disablement, had not been previously diagnosed with a mental impairment, is diagnosed with a
5 mental impairment then the mental impairment is presumptively an occupational disease and
6 shall be presumed to have been due to the nature of the employment. This presumption may be
7 rebutted by substantial factors brought by the employer or insurer. Any substantial factors that
8 are used to rebut this presumption and that are known to the employer or insurer at the time of
9 the denial of liability shall be communicated to the employee on the denial of liability. The
10 mental impairment is not considered an occupational disease if it results from disciplinary action,

- 11 work evaluation, job transfer, layoff, demotion, promotion, termination, retirement, or similar
- 12 action taken in good faith by the employer.