HOUSE DOCKET, NO. 2686 FILED ON: 1/16/2025

HOUSE . . . . . No. 2909

The Commonwealth of Massachusetts

PRESENTED BY:

Joseph W. McGonagle, Jr.

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 the disability or death caused by post-traumatic stress disorder (PTSD).

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
Joseph W. McGonagle, Jr.	*28th Middlesex*	*1/16/2025*
Marcus S. Vaughn	*9th Norfolk*	*1/23/2025*
John J. Marsi	*6th Worcester*	*1/23/2025*
Christopher Richard Flanagan	*1st Barnstable*	*1/23/2025*
Angelo J. Puppolo, Jr.	*12th Hampden*	*1/23/2025*
Steven George Xiarhos	*5th Barnstable*	*1/23/2025*
David F. DeCoste	*5th Plymouth*	*1/23/2025*
Paul K. Frost	*7th Worcester*	*1/23/2025*
Paul McMurtry	*11th Norfolk*	*1/23/2025*
Patrick Joseph Kearney	*4th Plymouth*	*1/23/2025*
Dennis C. Gallagher	*8th Plymouth*	*1/23/2025*
Rodney M. Elliott	*16th Middlesex*	*1/23/2025*
Michael J. Soter	*8th Worcester*	*1/23/2025*
Steven Ultrino	*33rd Middlesex*	*1/24/2025*
Mark D. Sylvia	*10th Bristol*	*1/29/2025*
Danillo A. Sena	*37th Middlesex*	*1/29/2025*
Erika Uyterhoeven	*27th Middlesex*	*1/30/2025*
Michael D. Brady	*Second Plymouth and Norfolk*	*2/6/2025*

Samantha Montaño	*15th Suffolk*	*2/6/2025*
Alyson M. Sullivan-Almeida	*7th Plymouth*	*2/6/2025*
Jacob R. Oliveira	*Hampden, Hampshire and Worcester*	*2/12/2025*
James K. Hawkins	*2nd Bristol*	*2/12/2025*
Daniel Cahill	*10th Essex*	*2/12/2025*
James C. Arena-DeRosa	*8th Middlesex*	*2/12/2025*
James Arciero	*2nd Middlesex*	*2/26/2025*
Natalie M. Higgins	*4th Worcester*	*2/26/2025*
Bruce E. Tarr	*First Essex and Middlesex*	*2/27/2025*
Antonio F. D. Cabral	*13th Bristol*	*3/6/2025*
Jonathan D. Zlotnik	*2nd Worcester*	*3/14/2025*
Kenneth P. Sweezey	*6th Plymouth*	*3/19/2025*
Ryan M. Hamilton	*15th Essex*	*3/26/2025*
Thomas M. Stanley	*9th Middlesex*	*3/26/2025*
Nick Collins	*First Suffolk*	*4/3/2025*
Hannah Kane	*11th Worcester*	*4/3/2025*
Christopher Hendricks	*11th Bristol*	*4/3/2025*
Tara T. Hong	*18th Middlesex*	*4/3/2025*
Donald H. Wong	*9th Essex*	*4/3/2025*
Colleen M. Garry	*36th Middlesex*	*4/7/2025*
John R. Gaskey	*2nd Plymouth*	*4/9/2025*
Richard G. Wells, Jr.	*7th Norfolk*	*4/9/2025*
Kathleen R. LaNatra	*12th Plymouth*	*6/11/2025*
Margaret R. Scarsdale	*1st Middlesex*	*6/16/2025*
Tackey Chan	*2nd Norfolk*	*6/26/2025*
Vanna Howard	*17th Middlesex*	*8/20/2025*

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HOUSE . . . . . No. 2909

By Representative McGonagle of Everett, a petition (accompanied by bill, House, No. 2909) of Joseph W. McGonagle, Jr., and others relative to a post-traumatic stress disorder presumption for certain retirement benefits. Public Service.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. *2594* OF 2023-2024.]

The Commonwealth of Massachusetts

In the One Hundred and Ninety-Fourth General Court
(2025-2026)

An Act relative to the disability or death caused by post-traumatic stress disorder (PTSD).

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

Chapter 32 of the General Laws is hereby amended by inserting after section 94B the following section:-

Section 94C. (a) As used in this section the following words shall, unless the context clearly requires otherwise, have the following meanings:

"Post-traumatic stress disorder", a disorder that meets the diagnostic criteria for post-traumatic stress, specified by the American Psychiatric Association in the fifth edition of the Diagnostic and Statistics Manual of Mental Disorders, or most recently published edition.

"Mental health professional", a person with professional training, experience and demonstrated competence in the treatment and diagnosis of mental conditions, who is certified or

10 licensed to provide mental health care services and for whom diagnosis of mental conditions are
11 within their scope of practice, including a physician, nurse with recognized psychiatric
12 specialties, psychiatrist, psychologist, clinical social worker, mental health counselor or alcohol
13 and drug abuse counselor.

14 (b) Notwithstanding any general or special law to the contrary relative to the non-
15 contributory or contributory retirement system, any condition of impairment of health caused by
16 post-traumatic stress disorder diagnosed by a mental health professional resulting in total or
17 partial disability or death of: (1) a full-time uniformed member of a paid police department, paid
18 fire department, paid municipal emergency medical service department, the police department of
19 the Massachusetts Bay Transportation Authority, the state police or the public works building
20 police, (2) any employee in the department of correction or a county correctional facility whose
21 regular or incidental duties require the care, supervision or custody of prisoners, criminally
22 insane persons or defective delinquents, (3) any permanent crash crewmen, crash boatman, fire
23 controlman or assistant fire controlman employed at the General Edward Lawrence Logan
24 International Airport, (4) the members of the 104th fighter wing fire department or (5) members
25 of the Massachusetts military reservation fire department, shall if they successfully passed a
26 physical examination on entry into said service, which examination failed to reveal any evidence
27 of said condition, shall be presumed to have been suffered in the line of duty, unless it is shown
28 by a preponderance of the evidence that the post-traumatic stress was caused by non-service
29 connected risk factors or non-service connected exposure.

30 (c) Any person first diagnosed with post-traumatic stress disorder within 5 years of the
31 last date on which said person actively served shall be eligible to apply for benefits pursuant to

32 this section, and if granted, said benefits shall be payable as of the date on which the employee
33 last received regular compensation.

34 (d) Post-traumatic stress disorder shall not be presumed to have been suffered in the line
35 of duty of it results from any disciplinary action, work evaluation, job transfer, layoff, demotion,
36 termination, resignation, retirement or similar bona fide personnel action taken in good faith by
37 the employer.