



CITY OF MIDDLETON

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February 7, 2019

Idaho Senate
Commerce & Human Resources Committee
Boise, Idaho

RE: SB1028 Post-traumatic Stress Injury

Dear Committee Members:

When considering the above-referenced proposed legislation, please provide guidance to employers of first responders so we can plan staffing and budget accordingly.

Is an impairment rating part of treatment for a post-traumatic stress injury?

When hiring a first responder, which impairment rating renders a candidate unable to perform the job ... 5%, 10%, 15% and higher?

Can an employer legally require PTSI impairment rating information on a job application?

What is a reasonable treatment period after which an employer can terminate employment if the first responder is not released as fit-for-duty following a post-traumatic stress injury?

Sincerely,

Mayor Darin Taylor
(208) 697-4354

dtaylor@middletoncity.com

Attachment 1

2-7-19



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January 24, 2019

Re: Proposed Amendments to Idaho Code 72-451, Post-traumatic Stress Injury

Committee Members:

The City of Middleton recognizes the stress and trauma associated with first-responder emergency service occupations, and supports competent treatment of mental injuries as well as physical injuries. Middleton opposes the proposed amendments to Idaho Code 72-451 adding post-traumatic stress injury (PTSI) as written because of the following concerns. The City has seven patrol officers (includes chief).

Hypothetically, the proposed legislation passes as drafted and four Middleton officers respond to an incident and are traumatized. The officers and city file a workers compensation claim as required by the State Insurance Fund. The officers are treated.

1. Does treatment consist of time off-duty, modify/light duty, or active patrol?

If treatment is time from work, then the city immediately reduces patrol because it cannot afford to hire additional officers (\$100,000 salary and benefits per officer annually) or pay overtime, or work remaining officers in that distressed condition for an undetermined treatment period without significantly increasing the risk of an officer mistake or burnout.

If modified-duty means not patrolling, then Middleton does not have enough light-duty work for four officers. If treatment is concurrent with active patrol, then is the officer working while vulnerable?

2. When treatment is complete, is a permanent impairment rating determined?

Does a post-PTSI impairment rating of anything other than zero expose the city to civil liability if the officer experiences a re-occurrence or flashback? Does the city hire an officer that received an impairment rating after a previous PTSI?

3. What is the city's responsibility if an officer experiences cumulative PTSIs?

The city requests the legislation include additional sideboards before being adopted.

Sincerely,

A handwritten signature in blue ink that reads "Darin Taylor".

Darin Taylor, Mayor
208-697-4354

dtaylor@middletoncity.com