



State of New Mexico
WORKERS' COMPENSATION ADMINISTRATION

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Governor signs House Bill 324 – PTSD Employment Condition for Firefighters

Albuquerque, N.M. April 3, 2019 – New Mexico Governor Michelle Lujan Grisham on Tuesday signed House Bill 324. Introduced by Rep. Deborah A. Armstrong (D- Bernalillo) and Melanie A. Stansbury (D-Bernalillo), HB 324 amends §52-3-32.1 of the Occupational Disease and Disablement Law to add post-traumatic stress disorder (PTSD) to the list of conditions *presumed* to be caused by the occupation of firefighter. With the presumed assumption, an employer is required to provide medical treatment for PTSD as with other job-related conditions, rather than requiring proof it was caused by the job. The bill also changes references of “disease” to “condition.”

The legislation expands upon amendments to that section of the workers’ compensation statute made during the 2009 regular legislative session which listed a variety of cancers presumed to be caused by employment for non-volunteer, full-time firefighters.

Employees in any occupation can file a workers’ compensation claim for PTSD under the current law, but the burden of proof for such claims falls on the worker to prove causation. This new amendment only shifts causation to be presumed when the worker filing the PTSD claim is a firefighter.