

**ONE HUNDRED FIFTH LEGISLATURE - FIRST SESSION - 2017**  
**COMMITTEE STATEMENT**  
**LB244**

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**Hearing Date:** Monday February 27, 2017  
**Committee On:** Business and Labor  
**Introducer:** Bolz  
**One Liner:** Change provisions relating to mental injury and mental illness for workers' compensation

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**Roll Call Vote - Final Committee Action:**  
Advanced to General File with amendment(s)

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**Vote Results:**

**Aye:** 7 Senators Albrecht, Chambers, Crawford, Halloran, Hansen, Howard, Lowe

**Nay:**

**Absent:**

**Present Not Voting:**

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**Verbal Testimony:**

**Proponents:**

Kate Bolz  
Mike Marvin

William Spaulding

Steve Howard  
Britany Shotkoski  
Kasi Livezey

**Representing:**

Introducer  
Executive Director, Nebraska Association of Public Employees/American Federation of State, County and Municipal Employees (NAPE/AFSCME)  
Executive Co-Chair for State Legislative Affairs, Nebraska Psychological Association,  
Nebraska State AFL-CIO  
Nebraska Association of Trial Attorneys  
Self, Nebraska Department of Correctional Services  
TSCI

**Opponents:**

**Representing:**

**Neutral:**

**Representing:**

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**Summary of purpose and/or changes:**

LB 244 extends workers' compensation coverage to frontline state employees who suffer mental injuries without a corresponding physical injury. As required under current law, to be covered under the act for mental injuries, the frontline state employee must show by a preponderance of the evidence that the mental injury was a result of extraordinary and unusual conditions as compared to the normal conditions of employment. The frontline state employee must additionally establish that the conditions caused the resulting mental injury. Mental injuries suffered as a result of events which are incidental to employee/employer relations, including specified personnel actions, are not compensable.

LB 244 defines frontline state employee as an employee of the Department of Corrections or the Department of Health and Human Services whose duties involve regular and direct interaction with high-risk individuals. High-risk individuals are those in state custody for whom violent or physically intimidating behavior is common.

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**Explanation of amendments:**

The amendment replaces the bill. It makes one change to include a definition of state custody under Section (1)(d).

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Joni Albrecht, Chairperson