



DEDICATED TO A STRONG GREATER MINNESOTA

March 7, 2022

Dear Chair Mariani and House Public Safety and Criminal Justice Reform Finance and Policy Committee Members,

I am writing on behalf of the over 100 cities represented by the Coalition of Greater Minnesota Cities (CGMC) to address HF 4026, which seeks to make changes to the duty disability determination for public safety employees, particularly as it relates to Post Traumatic Stress Disorder (PTSD). While we appreciate the efforts of Representative Long and the bill's advocates to balance the need to support our public safety employees with the impact these claims have on the long-term finances of our local governments, we are not yet prepared to offer our endorsement of this legislation.

Whether related to PTSD or other injuries, our system for making duty disability determinations is broken. It is our belief the current system fails to serve the long-term interests of public safety employees, local governments, and ultimately, the public they both serve. In the last several years, our members have seen an acceleration of claims, leaving cities with mountains of expensive, persisting, and unexpected obligations. This system is not sustainable.

For instance, a CGMC member city with a population of less than 10,000 residents currently has three duty disability claims. Of these three claims, only one is PTSD related. All three employees are in their mid-40s. At a cost of providing health insurance at \$20,000 each, the city is faced with a total expense of \$60,000 per year for almost 20 years. Because of the costs involved and the increasing frequency of claims, it is as important as ever the legislature ensure we have a system meeting the needs of both the employees and the city.

Our first concern with the legislation is its narrow focus on PTSD. The issues this bill seeks to address extend to other injuries, and any truly impactful legislation must embrace the full scope of claims eligible for a duty disability determination. As seen in the example above, not all the claims of concern are related to PTSD. We wonder how these other claims would be handled.

Our second concern is with the process of determining duty disability claims. The current process leaves cities with little opportunity to evaluate and understand the nature of the claim being made before it is signed off on by the Minnesota Public Employees Retirement Association (PERA). If the city believes the claim was inappropriately granted, its only recourse is to file an appeal with an administrative law judge. Unfortunately, waiting until after the determination has made for a more cumbersome, expensive, time-consuming, and unfortunately adversarial procedure. Nonetheless, more and more cities are availing themselves of this process.

While this legislation touches on numerous complicated areas of law and positive aspects that correctly support our public safety employees, we wanted to take this opportunity to weigh in with our most fundamental concerns. As the bill continues its legislative journey, we are committed to working with Representative Long, the rest of the legislature, our fellow local government advocates, and the public safety community to craft legislation that aims at recovery for those injured in the line of duty, pathways for local governments to be more involved in the process sooner, and ultimately stronger public safety in our communities.

If you have questions about any of these issues or other concerns facing Greater Minnesota cities, please contact Bradley Peterson at [bmpeterson@flaherty-hood.com](mailto:bmpeterson@flaherty-hood.com) or 651-259-1911. Thank you, and we look forward to working with you this session!

Sincerely,



Patrick Baustian, Mayor of Luverne  
President, Coalition of Greater Minnesota Cities



Bradley Peterson  
Executive Director, Coalition of Greater  
Minnesota Cities