

The proposed changes to the PERA pension disability statute are not needed and will harm first responders who are struggling with mental health.

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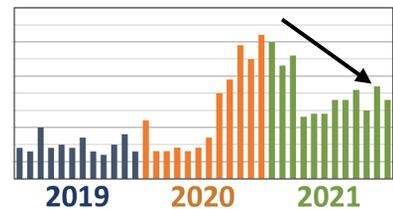
In 2021, PERA  
Police and Fire Plan had

11,705  
active members

Less than **2.5%** (approx. 275)  
applied for pension disability  
due to PTSD.

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Disability applications,  
which increased after the 2020 riots,  
are now **decreasing**.



3



**EVERY application** for PTSD pension disability  
is vetted by two medical providers and at least one  
independent, board-certified,  
licensed psychologist or psychiatrist.

4

PERA police and fire plan pension disability approval takes months.

- Many are **without an income** pending approval.
- Many are **without health insurance** pending approval.
- This bill will significantly extend the timeline for approval.

5

PERA already requires a Workers' Compensation First Report of Injury (FROI) before processing an application for pension disability benefits.

6

Most first responders already engage in months of mental health treatment before their PERA pension disability is approved.

PTSD Facts prepared in coalition with:



Minnesota Police and Peace Officers Association  
Law Enforcement Labor Services  
Minnesota Professional Fire Fighters  
Minnesota Association for Justice



Contact Minnesota Association for Justice, (612) 860-1225, for more info.

Employers initially deny nearly **100%** of Work Comp claims for PTSD. (Ex. League of MN Cities denied 77-out-of-79 PTSD claims as of 11/30/21.)

1



This bill was **not** reviewed by the Work Comp Advisory Committee



This bill seeks to change **three different areas of law**, impacting different court systems and decision-making bodies.

2

- Minnesota Statutes § 176 (Workers' Compensation Act)
- Minnesota Statutes § 353 (PERA Pension Disability Benefits)
- Minnesota Statutes § 299A.465 (Continuation of Health Insurance)

3

There are **different legal standards** for Workers' Compensation and PERA pension disability benefits.

Requiring a court decision from Workers' Compensation, before allowing police officers and firefighters to apply for pension disability benefits is unworkable. These changes will:

4

- **Delay benefits** by approx. 2.5 years;
- **Overwhelm the courts** by forcing Work Comp cases into litigation; (In 2021, for every PTSD case that went to trial, approx. 40 settled.)
- Discourage claims and **put first responders and the public at risk.**

5

The courts are currently interpreting the 2019 PTSD presumption. Amending the law before a decision will further delay benefits.

- *Juntunen v. Carver Cty*, Minnesota Supreme Court (decision Summer/Fall 2022)
- *Chrz v. Mower Cty*, Work Comp Court of Appeals (decision May 9, 2022)

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