
Supporting Ontario's First Responders Act (Posttraumatic Stress Disorder), 2016

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The Supporting Ontario's First Responders Act (Posttraumatic Stress Disorder), 2016, if passed, would amend the Workplace Safety and Insurance Act, 1997 (WSIA) and the Ministry of Labour Act.

Amendments to the Workplace Safety and Insurance Act, 1997

The proposed legislation would amend the WSIA to create a presumption that PTSD diagnosed in first responders is work-related, leading to faster access to WSIB benefits and proper treatment.

The proposed legislation would cover:

- Police officers (including First Nations constables)
- Firefighters (part-time, full-time and volunteer firefighters, fire investigators and firefighters who volunteer or work for Band Councils)
- Paramedics and emergency medical attendants
- First Nations emergency response teams
- Correctional officers/youth services workers (including operational managers), and certain workers who provide direct health care services in correctional institutions and secure youth justice facilities
- Dispatchers of police, firefighter and ambulance services

Workers covered by the proposed presumptive legislation would be entitled to benefits under the WSIA if they were diagnosed with PTSD by a psychiatrist or psychologist.

A diagnosis would be required that is consistent with posttraumatic stress disorder as described in the Diagnostic and Statistical Manual of Mental Disorders, Fifth Edition (DSM-5), published by the American Psychiatric Association. For a six-month period following the coming into force date, pending claims and appeals as well as new claims filed can be adjudicated in accordance with either a DSM-5 or DSM-IV (previous edition) PTSD diagnosis.

The presumption would apply to new claims, as well as pending claims and claims in the process of being appealed. Previously denied claims that have exhausted the appeals process would not be reconsidered under the presumption.

Workers who are or were a first responder then leave an occupation that would be covered by the presumption within the 24 month period before the proposed legislation would come into force would be able to make a claim under the presumption if they have a PTSD diagnosis that was made in that timeframe, or if they receive a diagnosis within 24 months after the proposed amendments would come into force.

Workers covered by the proposed legislation who leave the occupation after the proposed legislation would come into force would be able to make a claim under the presumption if they were diagnosed with PTSD within 24 months of leaving. However, they could continue to file claims for PTSD which would be adjudicated by the WSIB on a case by case basis.

Amendments to the Ministry of Labour Act

Under the proposed amendments, the Minister of Labour would have the authority to request information about an employer's plans to prevent PTSD from employers of workers covered by the proposed PTSD presumption and to publish those plans.

LEARN MORE

- [Read the report from the Summit on Work-Related Traumatic Mental Stress](#)

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