

As Introduced

133rd General Assembly

Regular Session

2019-2020

S. B. No. 384

Senator Hackett

A BILL

To amend section 5502.01 and to enact sections 1
145.364, 742.391, 3309.402, 4168.01, 4168.02, 2
4168.09, 4168.10, 4168.11, 4168.12, 4168.20, 3
4168.21, 4168.45, 4168.46, 4168.47, 4168.48, 4
4168.60, 4168.75, 4168.76, 4168.77, 4168.78, 5
4168.80, and 5505.182 of the Revised Code 6
concerning compensation, medical benefits, and 7
disability retirement for peace officers, 8
firefighters, and emergency medical workers 9
diagnosed with post-traumatic stress disorder 10
arising from employment without an accompanying 11
physical injury. 12

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That section 5502.01 be amended and sections 13
145.364, 742.391, 3309.402, 4168.01, 4168.02, 4168.09, 4168.10, 14
4168.11, 4168.12, 4168.20, 4168.21, 4168.45, 4168.46, 4168.47, 15
4168.48, 4168.60, 4168.75, 4168.76, 4168.77, 4168.78, 4168.80, 16
and 5505.182 of the Revised Code be enacted to read as follows: 17

Sec. 145.364. On determining that a member's post- 18
traumatic stress disorder, without an accompanying physical 19

injury, qualifies that member for a disability benefit under 20
section 145.36 or 145.361 of the Revised Code, the public 21
employees retirement board, notwithstanding the exceptions to 22
public inspection in division (A) (2) of section 145.27 of the 23
Revised Code or the privileges contained in division (B) of that 24
section, shall notify the director of public safety of all of 25
the following: 26

(A) The name of the member; 27

(B) That the member's post-traumatic stress disorder, 28
without an accompanying physical injury, qualifies that member 29
for a disability benefit under section 145.36 or 145.361 of the 30
Revised Code; 31

(C) The effective date of the member's disability benefit; 32

(D) The date that payments for the member's disability 33
benefit commence. 34

Sec. 742.391. On determining that a member's post- 35
traumatic stress disorder, without an accompanying physical 36
injury, qualifies that member for a disability benefit under 37
section 742.38 or 742.39 of the Revised Code, the board of 38
trustees of the Ohio police and fire pension fund, 39
notwithstanding the exceptions to public inspection in division 40
(B) of section 742.41 of the Revised Code or the privileges 41
contained in division (C) of that section, shall notify the 42
director of public safety of all of the following: 43

(A) The name of the member; 44

(B) That the member's post-traumatic stress disorder, 45
without an accompanying physical injury, qualifies that member 46
for a disability benefit under section 742.38 or 742.39 of the 47
Revised Code; 48

(C) The effective date of the member's disability benefit;

49

(D) The date that payments for the member's disability
benefit commence.

50

51

Sec. 3309.402. On determining that a member's post-
traumatic stress disorder, without an accompanying physical
injury, qualifies that member for a disability benefit under
section 3309.35, 3309.40, or 3309.401 of the Revised Code, the
school employees retirement board, notwithstanding the
exceptions to public inspection in division (A)(2) of section
3309.22 of the Revised Code or the privileges contained in
division (B) of that section, shall notify the director of
public safety of all of the following:

52

53

54

55

56

57

58

59

60

(A) The name of the member;

61

(B) That the member's post-traumatic stress disorder,
without an accompanying physical injury, qualifies that member
for a disability benefit under section 3309.35, 3309.40, or
3309.401 of the Revised Code;

62

63

64

65

(C) The effective date of the member's disability benefit;

66

(D) The date that payments for the member's disability
benefit commence.

67

68

Sec. 4168.01. As used in this chapter:

69

(A) "Peace officer" has the same meaning as in section
2935.01 of the Revised Code and includes an off-duty peace
officer when responding to an inherently dangerous situation
that calls for an immediate response on the part of the off-duty
peace officer, regardless of whether the peace officer is within
the limits of the jurisdiction of the peace officer's regular
employment or voluntary service when responding, on the

70

71

72

73

74

75

76

condition that the peace officer responds to the situation as 77
the peace officer otherwise would if the peace officer were on 78
duty in the peace officer's jurisdiction. 79

(B) "Firefighter" means a firefighter, whether paid or 80
volunteer, of a lawfully constituted fire department and 81
includes an off-duty firefighter when responding to an 82
inherently dangerous situation that calls for an immediate 83
response on the part of the firefighter, regardless of whether 84
the firefighter is within the limits of the jurisdiction of the 85
firefighter's regular employment or voluntary service when 86
responding, on the condition that the firefighter responds to 87
the situation as the firefighter otherwise would if the 88
firefighter were on duty in the firefighter's jurisdiction. 89

(C) "Emergency medical worker" means a first responder, 90
emergency medical technician-basic, emergency medical 91
technician-intermediate, or emergency medical technician- 92
paramedic, certified under Chapter 4765. of the Revised Code, 93
whether paid or volunteer, and includes an off-duty emergency 94
medical worker when responding to an inherently dangerous 95
situation that calls for an immediate response on the part of 96
the emergency medical worker, regardless of whether the 97
emergency medical worker is within the limits of the 98
jurisdiction of the emergency medical worker's regular 99
employment or voluntary service when responding, on the 100
condition that the emergency medical worker responds to the 101
situation as the emergency medical worker otherwise would if the 102
emergency medical worker were on duty in the emergency medical 103
worker's jurisdiction. 104

(D) "Public employer" means the state, including state 105
hospitals, each county, municipal corporation, township, school 106

district, and hospital owned by a political subdivision or 107
subdivisions other than the state. 108

(E) "Psychiatrist" and "licensed clinical psychologist" 109
have the same meanings as in section 5122.01 of the Revised 110
Code. 111

(F) "Physician" means an individual authorized under 112
Chapter 4731. of the Revised Code to practice medicine and 113
surgery or osteopathic medicine and surgery. 114

(G) "Nurse" means a person who is licensed to practice as 115
a registered nurse or licensed practical nurse under Chapter 116
4723. of the Revised Code. 117

(H) "Licensed professional clinical counselor" means a 118
person holding a licensed professional clinical counselor 119
license issued under Chapter 4757. of the Revised Code. 120

(I) "Licensed professional counselor" means a person 121
holding a licensed professional counselor license issued under 122
Chapter 4757. of the Revised Code. 123

(J) "Medicare" means the program established by Title 124
XVIII of the "Social Security Act," 42 U.S.C. 301. 125

(K) "Post-traumatic stress disorder" means post-traumatic 126
stress disorder received in the course of, and arising out of, 127
employment with a public employer as a peace officer, 128
firefighter, or emergency medical worker but without an 129
accompanying physical injury. 130

(L) "State post-traumatic stress disorder coverage fund" 131
means the fund created by section 4168.09 of the Revised Code. 132

(M) "Medical provider" means a psychiatrist, licensed 133
clinical psychologist, physician, nurse, licensed professional 134

clinical counselor, or licensed professional counselor. 135

Sec. 4168.02. (A) Subject to division (B) of this section, 136
a peace officer, firefighter, or emergency medical worker 137
diagnosed by a psychiatrist or licensed clinical psychologist as 138
having post-traumatic stress disorder is entitled to receive the 139
compensation described in section 4168.45 of the Revised Code 140
and the medical, nurse, and hospital services and medicines 141
provided under section 4168.46 of the Revised Code. If a 142
political subdivision of the state enters into an agreement to 143
secure the services of an organization, association, or group of 144
volunteer peace officers, firefighters, or emergency medical 145
workers, the peace officers, firefighters, or emergency medical 146
workers who volunteer for the organization are employed by the 147
political subdivision for purposes of this chapter. 148

(B) (1) Except as provided in division (B) (3) of this 149
section, any entitlement of an individual to compensation paid 150
under this chapter ceases one year after the date those payments 151
commence under section 4168.47 of the Revised Code. 152

(2) Except as provided in division (B) (3) of this section, 153
any entitlement of an individual to medical benefits under this 154
chapter ceases one year after those payments commence under 155
section 4168.47 of the Revised Code. 156

(3) The director of public safety shall extend an 157
individual's entitlement to compensation and medical benefits 158
under this chapter for up to one additional year on receiving a 159
recommendation from a psychiatrist or licensed clinical 160
psychologist. 161

(C) (1) No individual is entitled to compensation or 162
benefits under this chapter for any period of time during which 163

the individual receives either of the following: 164

(a) A disability benefit or disability retirement from the 165
public employees retirement system, the Ohio police and fire 166
pension fund, the school employees retirement system, or the 167
state highway patrol retirement system; 168

(b) A retirement or disability benefit pursuant to the 169
"Social Security Act," 42 U.S.C. 301, et seq. 170

(2) If an individual receives an award of compensation or 171
benefits under this chapter for the same time period for which 172
the individual receives a retirement or disability benefit or 173
disability benefit or disability retirement described in 174
division (C)(1) of this section, the director of public safety, 175
by any lawful means, may collect both of the following from the 176
individual: 177

(a) The amount of compensation or benefits paid to the 178
individual by the director pursuant to this chapter for that 179
time period; 180

(b) Any interest, attorney's fees, and costs the director 181
incurs in collecting that payment. 182

(D) A peace officer, firefighter, or emergency medical 183
worker is not required to apply for or receive compensation as 184
described in section 4168.45 of the Revised Code to receive the 185
medical, nurse, and hospital services and medicines provided 186
under section 4168.46 of the Revised Code. 187

Sec. 4168.09. There is hereby created the state post- 188
traumatic stress disorder coverage fund, which shall be in the 189
custody of the treasurer of state but shall not be part of the 190
state treasury. Investment earnings of the fund shall be 191
credited to the fund. The director of public safety shall 192

deposit to the fund all money paid under this chapter. The 193
director shall make disbursements from the fund in accordance 194
with this chapter. 195

The state post-traumatic stress disorder coverage fund 196
shall be used only for the following purposes: 197

(A) Payment of compensation described in section 4168.45 198
of the Revised Code; 199

(B) Payment of medical, nurse, and hospital services and 200
medicines described in section 4168.46 of the Revised Code; 201

(C) Payment of administrative costs incurred by the 202
director in administering and enforcing this chapter. 203

Sec. 4168.10. (A) The director of public safety shall do 204
all of the following: 205

(1) Classify different types of peace officers, 206
firefighters, and emergency medical workers according to the 207
categories the national council on compensation insurance 208
establishes that are applicable to employers in this state and 209
determine the risks of the different classes with respect to 210
suffering from post-traumatic stress disorder; 211

(2) Fix a premium rate for each class identified under 212
division (A) (1) of this section, based on the total payroll in 213
each of the classes, sufficiently large to maintain the state 214
post-traumatic stress disorder coverage fund; 215

(3) Use the fund to pay the compensation and benefits 216
provided for in this chapter and to administer the fund; 217

(4) Keep an accurate account of all of the following: 218

(a) The money paid in premiums by each of the public 219

employers employing the classes of peace officers, firefighters, 220
and emergency medical workers identified under division (A) of 221
this section; 222

(b) The total losses attributable to post-traumatic stress 223
disorder suffered by the classes of peace officers, 224
firefighters, and emergency medical workers identified under 225
division (A) of this section; 226

(c) The losses incurred against the fund on account of 227
claims for post-traumatic stress disorder suffered by the 228
classes of peace officers, firefighters, and emergency medical 229
workers identified under division (A) of this section; 230

(d) The losses incurred against the fund to cover the 231
costs of administering this chapter. 232

(B) The director shall establish the premium rates under 233
division (A) (2) of this section for the purpose of maintaining 234
the fund at the lowest possible level that is consistent with 235
paying legitimate claims, administering the chapter, and 236
maintaining the solvency of the fund. 237

(C) Where the payroll cannot be obtained or, in the 238
opinion of the director, is not an adequate measure for 239
determining the premium rates the director establishes under 240
division (A) (2) of this section, the director may determine the 241
premium rates using any other basis, consistent with insurance 242
principles, as is equitable in view of the degree of risk with 243
respect to post-traumatic stress disorder. Whenever this chapter 244
makes reference to payroll or expenditure of wages with 245
reference to fixing premiums, the reference shall be construed 246
to also have been made to any other basis for fixing the rates 247
of premium as the director may determine under this section. 248

Sec. 4168.11. (A) Every public employer who employs peace 249
officers, firefighters, or emergency medical workers shall keep 250
records of, and furnish to the director of public safety, all 251
information required by the director to carry out this chapter. 252

(B) Every public employer employing one or more peace 253
officers, firefighters, or emergency medical workers shall 254
submit a payroll report to the director of public safety. The 255
public employer shall submit the payroll report on or before the 256
fifteenth day of February of each year. The public employer 257
shall include both of the following in the payroll report: 258

(1) The number of peace officers, firefighters, or 259
emergency medical workers employed by the public employer in 260
this state during the preceding year from the first day of 261
January through the last day of December; 262

(2) The number of peace officers, firefighters, or 263
emergency medical workers employed in each of the classes 264
identified by the director in accordance with division (A)(1) of 265
section 4168.10 of the Revised Code and the aggregate amount of 266
wages paid to the peace officers, firefighters, or emergency 267
medical workers. 268

(C) A public employer described in division (B) of this 269
section shall submit the payroll report required under this 270
section to the director on a form prescribed by the director. 271

(D) (1) Except as otherwise provided in division (D) (2) of 272
this section, information contained in the payroll report 273
provided for in this section is for the exclusive use and 274
information of the director in the discharge of the director's 275
duties under this chapter. The information shall not be open to 276
the public or used in any court in any action or proceeding 277

unless the director is a party to the action or proceeding. 278

(2) The information contained in the payroll report 279
required under this section may be tabulated and published by 280
the director in statistical form for the use and information of 281
other state departments and the public. 282

Sec. 4168.12. Every public employer employing one or more 283
peace officers, firefighters, or emergency medical workers shall 284
pay annually on or before the thirty-first day of December into 285
the state post-traumatic stress disorder coverage fund the 286
amount of estimated annual premium the director of public safety 287
fixes for the public employer in accordance with division (A) (2) 288
of section 4168.10 of the Revised Code. Except as otherwise 289
provided in this section, the director shall estimate each 290
public employer's premium using the most recent payroll report 291
filed by the public employer under division (B) of section 292
4168.11 of the Revised Code and provide notice of the estimate 293
to the public employer by the first day of November. On receipt 294
of the next payroll report required by division (B) of section 295
4168.11 of the Revised Code, the director shall adjust the 296
premium charged to each public employer for the difference 297
between estimated gross payrolls and actual gross payrolls, and 298
any balance due to the director shall be immediately paid by the 299
public employer. Any balance due the public employer shall be 300
credited to the public employer's account. 301

The director shall provide each public employer that pays 302
premiums in accordance with this section a receipt certifying 303
that payment has been made for the year during which the payment 304
was made. The receipt is prima facie evidence of the payment of 305
the premium. 306

The director shall adopt rules for establishing premiums 307

for new public employers and public employers who have not 308
employed peace officers, firefighters, or emergency medical 309
workers for enough time to have been required to file a payroll 310
report required under division (B) of section 4168.11 of the 311
Revised Code. The public employer shall pay premiums according 312
to the rules adopted by the director until the public employer 313
has submitted the public employer's first payroll report. 314

Sec. 4168.20. (A) The director of public safety shall 315
review applications for the compensation described in section 316
4168.45 of the Revised Code and for the medical, nurse, and 317
hospital services and medicines provided under section 4168.46 318
of the Revised Code that are submitted to the director. The 319
director shall order payment from the state post-traumatic 320
stress disorder coverage fund of that compensation to an 321
individual who the director determines to be eligible under 322
division (A) of section 4168.02 of the Revised Code. The 323
director shall pay the costs of medical, nurse, and hospital 324
services and medicines to a medical provider in accordance with 325
the procedures established in rules adopted under division (C) 326
of section 4168.80 of the Revised Code. 327

(C) The director, in accordance with rules adopted under 328
section 4168.80 of the Revised Code, may disqualify any medical 329
provider from further reimbursement from the fund for violating 330
any requirement set forth in rules adopted under that section. 331
The disqualification shall not take effect until a written 332
notice, specifying the requirement violated and describing the 333
nature of the violation, has been delivered to the medical 334
provider. 335

Sec. 4168.21. Information collected and kept by the 336
director of public safety for purposes of carrying out the 337

director's duties under section 4168.20 of the Revised Code is 338
for the exclusive use and information of the director and shall 339
not be open to the public nor be used in any court in any action 340
or proceeding other than an appeal under section 4168.60 of the 341
Revised Code. The information, however, may be tabulated and 342
published by the director in statistical form for the use and 343
information of other state agencies and the public. 344

Sec. 4168.45. As used in this section, "statewide average 345
weekly wage" has the same meaning as in section 4123.62 of the 346
Revised Code. 347

No compensation shall be allowed for the first week of 348
total disability due to a diagnosis of post-traumatic stress 349
disorder, whenever it may occur, unless and until the peace 350
officer, firefighter, or emergency medical worker is totally 351
disabled for a continuous period of two weeks or more, in which 352
event compensation for the first week of total disability, 353
whenever it has occurred, shall be paid, in addition to any 354
other weekly benefits that are due, immediately following the 355
second week of total disability. There shall be no waiting 356
period in connection with the disbursements provided by section 357
4168.46 of the Revised Code. 358

An individual with post-traumatic stress disorder shall 359
receive sixty-six and two-thirds per cent of the individual's 360
average weekly wage so long as the individual's disability is 361
total. The maximum amount of weekly compensation an individual 362
may receive is an amount equal to the statewide average weekly 363
wage. The minimum amount of weekly compensation an individual 364
may receive is an amount equal to thirty-three and one-third per 365
cent of the statewide average weekly wage, unless the 366
individual's wage is less than thirty-three and one-third per 367

cent of the minimum statewide average weekly wage, in which 368
event the individual shall receive compensation equal to the 369
individual's full wages. 370

If an individual in a claim allowed under this chapter 371
suffers a wage loss as a result of returning to employment other 372
than the individual's former position as a peace officer, 373
firefighter, or emergency medical worker due to a diagnosis of 374
post-traumatic stress disorder, the individual shall receive 375
compensation at sixty-six and two-thirds per cent of the 376
difference between the individual's average weekly wage and the 377
individual's present earnings, not to exceed the statewide 378
average weekly wage. 379

If an individual in a claim allowed under this chapter 380
suffers a wage loss as a result of being unable to find 381
employment consistent with the disability resulting from post- 382
traumatic stress disorder, the individual shall receive 383
compensation at sixty-six and two-thirds per cent of the 384
difference between the individual's average weekly wage and the 385
individual's present earnings, not to exceed the statewide 386
average weekly wage. 387

Sec. 4168.46. The director of public safety shall disburse 388
and pay from the state post-traumatic stress disorder coverage 389
fund the amounts for medical, nurse, and hospital services and 390
medicines as the director deems proper to treat a peace officer, 391
firefighter, or emergency medical worker diagnosed by a 392
psychiatrist or licensed clinical psychologist as having post- 393
traumatic stress disorder. A medical provider may provide 394
medical, nurse, hospital services, or medicines to treat a peace 395
officer, firefighter, or emergency medical worker diagnosed with 396
post-traumatic stress disorder and receive reimbursement from 397

the fund in accordance with the procedures the director adopts 398
under division (C) of section 4168.80 of the Revised Code. No 399
medical provider shall charge, assess, or otherwise attempt to 400
collect from an individual or employer any amount for covered 401
services or supplies that is in excess of the allowed amount 402
paid by the director from the fund. 403

Sec. 4168.47. (A) Payments of compensation under section 404
4168.45 of the Revised Code and payments of medical benefits 405
under section 4168.46 of the Revised Code shall commence in 406
accordance with the following: 407

(1) If the director of public safety orders payment of 408
compensation, medical benefits, or both, payment shall begin at 409
the time the director orders the payment. 410

(2) If the director denies payment of compensation, 411
medical benefits, or both, but a court orders payment in an 412
appeal under section 4168.60 of the Revised Code, payment shall 413
commence on the date the court orders the payment. 414

(B) For purposes of division (A) (1) of this section, if 415
the director's order to make a payment is reversed in an appeal 416
under section 4168.60 of the Revised Code, payment shall 417
immediately cease and any money previously paid from the fund 418
pursuant to the order shall not be included in the public 419
employer's experience for purposes of calculating premiums under 420
section 4168.10 of the Revised Code. 421

(C) For purposes of division (A) (2) of this section, an 422
individual who receives payment in accordance with that division 423
is entitled to a lump sum payment representing any amounts the 424
individual would have received if the director had not denied 425
payment. 426

Sec. 4168.48. Claims for compensation or benefits under 427
this chapter are forever barred unless, within two years after 428
the disability due to post-traumatic stress disorder, or within 429
such longer period as does not exceed six months after diagnosis 430
of post-traumatic stress disorder by a psychiatrist or licensed 431
clinical psychologist, application is made to the director of 432
public safety. 433

Sec. 4168.60. An order made by the director under this 434
chapter granting payment, denying payment, or granting and 435
denying payment from the state post-traumatic stress disorder 436
coverage fund may be appealed by an individual, a public 437
employer, or a medical provider affected by the order. The 438
appeal shall be to the court of common pleas of the county in 439
which the individual resides or in which the medical provider 440
conducts business. The appellant shall file the notice of appeal 441
with a court of common pleas within sixty days after the date of 442
the receipt of the order. 443

Sec. 4168.75. A public employer who employs a peace 444
officer, firefighter, or emergency medical worker and who 445
complies with section 4168.12 of the Revised Code is not liable 446
to respond in damages at common law or by statute for any 447
diagnosis of post-traumatic stress disorder occurring during the 448
period covered by the premiums paid into the state post- 449
traumatic stress disorder coverage fund, whether or not the 450
post-traumatic stress disorder is compensable under this 451
chapter. 452

Sec. 4168.76. An employee of any public employer who 453
employs a peace officer, firefighter, or emergency medical 454
worker is not liable to respond in damages at common law or by 455
statute for any diagnosis of post-traumatic stress disorder 456

received by a public employer's employee who is employed as a 457
peace officer, firefighter, or emergency medical worker by the 458
public employer, provided that the post-traumatic stress 459
disorder is found to be compensable under this chapter. 460

Sec. 4168.77. Any individual who has suffered post- 461
traumatic stress disorder and who is employed by a public 462
employer who has failed to comply with section 4168.12 of the 463
Revised Code may file an application with the director of public 464
safety for compensation, benefits, or both under this chapter. 465
The director shall review the application in accordance with 466
section 4168.20 of the Revised Code and shall make an award to 467
the individual as the individual would be entitled to receive if 468
the public employer had complied with section 4168.12 of the 469
Revised Code. Payment shall not bar any action under section 470
4168.78 of the Revised Code. If a recovery is made in an action 471
under section 4168.78 of the Revised Code, the individual shall 472
repay any funds paid from the state post-traumatic stress 473
disorder coverage fund under this section. The director shall 474
institute proceedings to recover from the public employer any 475
moneys paid from the fund and to secure the public employer's 476
payment of the award. The public employer shall pay the award in 477
the manner and amount fixed by the award. 478

Sec. 4168.78. A public employer who employs peace 479
officers, firefighters, or emergency medical workers and who 480
fails to comply with section 4168.12 of the Revised Code is 481
liable to the public employer's employees who are peace 482
officers, firefighters, or emergency medical workers for damages 483
proximately caused by the wrongful act, neglect, or default of 484
the public employer and that result in a diagnosis of post- 485
traumatic stress disorder. In any action for damages described 486
in this section, an employer may not raise any of the following 487

defenses: 488

(A) The fellow servant rule; 489

(B) Assumption of risk; 490

(C) Contributory negligence. 491

Sec. 4168.80. The director of public safety shall adopt, 492
in accordance with Chapter 119. of the Revised Code, any rules 493
that are necessary to carry out this chapter, including rules to 494
establish all of the following: 495

(A) Procedures for a peace officer, firefighter, or 496
emergency medical worker employed by a public employer and 497
diagnosed by a psychiatrist or licensed clinical psychologist as 498
having post-traumatic stress disorder to apply for the 499
compensation described in section 4168.45 of the Revised Code; 500

(B) A list of approved medical, nurse, and hospital 501
services and medicines for which reimbursement is available from 502
the state post-traumatic stress disorder coverage fund and the 503
amount of reimbursement, which shall not be greater than the 504
reimbursement rate paid for comparable services and medicines in 505
this state under the medicare program; 506

(C) Procedures for reimbursing a medical provider from the 507
fund for providing treatments approved under division (B) of 508
this section; 509

(D) Procedures to be followed by the director in 510
disqualifying a medical provider from receiving reimbursements 511
from the fund; 512

(E) Procedures for reimbursing a psychiatrist or licensed 513
clinical psychologist from the fund for time and effort spent 514
diagnosing a peace officer, firefighter, or emergency medical 515

worker employed by a public employer who has been found to be 516
eligible for compensation, benefits, or both under this chapter; 517

(F) Blank applications for benefits or compensation from 518
the fund, notices to public employers and employees, proofs of 519
medical attendance and hospital and nursing care, proofs of 520
employment and wage earnings, and other necessary blank 521
applications. 522

Sec. 5502.01. (A) The department of public safety shall 523
administer and enforce the laws relating to the registration, 524
licensing, sale, and operation of motor vehicles and the laws 525
pertaining to the licensing of drivers of motor vehicles. 526

The department shall compile, analyze, and publish 527
statistics relative to motor vehicle accidents and the causes of 528
them, prepare and conduct educational programs for the purpose 529
of promoting safety in the operation of motor vehicles on the 530
highways, and conduct research and studies for the purpose of 531
promoting safety on the highways of this state. 532

(B) The department shall administer the laws and rules 533
relative to trauma and emergency medical services specified in 534
Chapter 4765. of the Revised Code and any laws and rules 535
relative to medical transportation services specified in Chapter 536
4766. of the Revised Code. 537

(C) The department shall administer and enforce the laws 538
contained in Chapters 4301. and 4303. of the Revised Code and 539
enforce the rules and orders of the liquor control commission 540
pertaining to retail liquor permit holders. 541

(D) The department shall administer the laws governing the 542
state emergency management agency and shall enforce all 543
additional duties and responsibilities as prescribed in the 544

Revised Code related to emergency management services. 545

(E) The department shall conduct investigations pursuant 546
to Chapter 5101. of the Revised Code in support of the duty of 547
the department of job and family services to administer the 548
supplemental nutrition assistance program throughout this state. 549
The department of public safety shall conduct investigations 550
necessary to protect the state's property rights and interests 551
in the supplemental nutrition assistance program. 552

(F) The department of public safety shall enforce 553
compliance with orders and rules of the public utilities 554
commission and applicable laws in accordance with Chapters 555
4905., 4921., and 4923. of the Revised Code regarding commercial 556
motor vehicle transportation safety, economic, and hazardous 557
materials requirements. 558

(G) Notwithstanding Chapter 4117. of the Revised Code, the 559
department of public safety may establish requirements for its 560
enforcement personnel, including its enforcement agents 561
described in section 5502.14 of the Revised Code, that include 562
standards of conduct, work rules and procedures, and criteria 563
for eligibility as law enforcement personnel. 564

(H) The department shall administer, maintain, and operate 565
the Ohio criminal justice network. The Ohio criminal justice 566
network shall be a computer network that supports state and 567
local criminal justice activities. The network shall be an 568
electronic repository for various data, which may include arrest 569
warrants, notices of persons wanted by law enforcement agencies, 570
criminal records, prison inmate records, stolen vehicle records, 571
vehicle operator's licenses, and vehicle registrations and 572
titles. 573

(I) The department shall coordinate all homeland security 574
activities of all state agencies and shall be a liaison between 575
state agencies and local entities for those activities and 576
related purposes. 577

(J) Beginning July 1, 2004, the department shall 578
administer and enforce the laws relative to private 579
investigators and security service providers specified in 580
Chapter 4749. of the Revised Code. 581

(K) The department shall administer criminal justice 582
services in accordance with sections 5502.61 to 5502.66 of the 583
Revised Code. 584

(L) The department shall coordinate security measures and 585
operations, and may direct the department of administrative 586
services to implement any security measures and operations the 587
department of public safety requires, at the Vern Riffe Center 588
and the James A. Rhodes state office tower. 589

Notwithstanding section 125.28 of the Revised Code, the 590
director of public safety may recover the costs of directing 591
security measures and operations under this division by either 592
issuing intrastate transfer voucher billings to the department 593
of administrative services, which the department shall process 594
to pay for the costs, or, upon the request of the director of 595
administrative services, the director of budget and management 596
may transfer cash in the requested amount from the building 597
management fund created under section 125.28 of the Revised 598
Code. Payments received or cash transfers made under this 599
division for the costs of directing security measures and 600
operations shall be deposited into the state treasury to the 601
credit of the security, investigations, and policing fund 602
created under section 4501.11 of the Revised Code. 603

(M) The department shall administer the laws and rules 604
relative to compensation and benefits for peace officers, 605
firefighters, and emergency medical workers diagnosed with post- 606
traumatic stress disorder received in the course of, and arising 607
out of, employment with public employers as peace officers, 608
firefighters, or emergency medical workers without an 609
accompanying physical injury specified in Chapter 4168. of the 610
Revised Code. 611

Sec. 5505.182. On determining that a member's post- 612
traumatic stress disorder, without an accompanying physical 613
injury, qualifies that member for disability retirement under 614
section 5505.18 of the Revised Code, the state highway patrol 615
retirement board, notwithstanding the exceptions to public 616
inspection in division (C) (2) of section 5505.04 of the Revised 617
Code or the privileges contained in division (D) of that 618
section, shall notify the director of public safety of all of 619
the following: 620

(A) The name of the member; 621

(B) That the member's post-traumatic stress disorder, 622
without an accompanying physical injury, qualifies that member 623
for disability retirement under section 5505.18 of the Revised 624
Code; 625

(C) The effective date of the member's disability 626
retirement; 627

(D) The date that payments for the member's disability 628
retirement commence. 629

Section 2. That existing section 5502.01 of the Revised 630
Code is hereby repealed. 631

Section 3. Notwithstanding division (A) of section 169.05 632

of the Revised Code, as soon as possible after the effective 633
date of this section, the Director of Budget and Management 634
shall request the Director of Commerce to transfer to the State 635
Post-Traumatic Stress Disorder Coverage Fund up to \$44,000,000 636
of unclaimed funds that have been reported by the holders of 637
unclaimed funds under section 169.05 of the Revised Code, 638
irrespective of the allocation of the unclaimed funds under that 639
section. Upon receipt of the request, the Director of Commerce 640
shall make the transfer. 641