



State: Fla.

PTSD Bill for First Responders Gains New Momentum After Parkland Shooting: Top [2018-03-05]

A long-gestating proposal to grant Florida first responders access to workers' compensation benefits for post-traumatic stress disorder has gained new momentum in the wake of the Marjory Stoneman Douglas High School shooting in Parkland last month.



Gerry Realin

The proposal, which is scheduled to be voted on today, had its second reading in the House and Senate on Friday and has received a recommendation to pass by several committees.

Senate Bill 376 and House Bill 227 were moving through the chambers at a normal pace before the school shooting, which took place Feb. 14 and left 17 people dead after 19-year-old Nikolas Cruz entered the school with a military-style rifle.

In the wake of the shooting, Florida Chief Financial Officer Jimmy Patronis, a high-ranking state official and influential Republican, began advocating for the bills.

"The conversations I had with the victims and first responders in the wake of last week's shooting in Parkland still haunt me," Patronis wrote in an opinion piece for the Naples Daily News on Feb. 21. "It will torment all those who witnessed this horrific tragedy."

Patronis wrote of several Florida first responders who committed suicide after spending decades responding to traumatic events: David Dangerfield, who took his life in October 2016 after a 27-year firefighting career, and Steve LaDue, who killed himself in September 2017 after a 30-year firefighting career.

Dangerfield had posted about his PTSD on Facebook shortly before his suicide.

Patronis also referenced Orlando police officer Gerry Realin, who has suffered from severe PTSD since spending hours removing bodies from the Pulse Nightclub in June 2016.

"First responders show up for us," Patronis wrote. "It's time Florida shows up for them."

One day after Patronis's piece was published, SB 376 was placed on the agenda of the Appropriations Committee, where it had languished since mid-January. Its companion bill was placed on the House Government Accountability Committee's

agenda a few days later.

At that point, Gerry Realin's wife, Jessica, said, the bills began "steamrolling" through the Legislature.

Jessica Realin is a staunch advocate for the proposal, appearing regularly at hearings to share her husband's story alongside other first responder families affected by PTSD. She and her fellow advocates plan to be at the Statehouse today.

"On Feb. 13, we testified in the House, and then Parkland happened the day after. We didn't hear anything — we were waiting and waiting — and then all of a sudden, this started steamrolling through," Jessica Realin said.

"Not for nothing, but I think that they look at this and see them being able to do something this session for Parkland, even if it's not for the students," she continued.

Before last week, though, the measure faced one major obstacle: An influential lobbying group, the Florida League of Cities, opposed it.

That is, until Patronis blasted the group for "knowingly peddling a deceptive report" that suggested the bill would be untenably expensive to implement.

In an email sent to members of the House Government Accountability Committee on Feb. 26, Patronis said the report was littered with "outrageous and absurd assumptions made to skew opinion on this important issue."

Patronis said the Division of Workers' Compensation had reviewed the League of Cities' analysis and concluded that it overestimated the amount of time first responders could be out of work, New 4 Jax reports.

Jessica Realin said she was familiar with the report, which the League of Cities would not release to the public, saying it contained "work papers, trade secrets and confidential information."

"The League of Cities pretended like if all of the first responders in the state of Florida filed a claim and decided they were going to be out of work for six months, this is how much it would cost the state of Florida. And if it would be one year, it would cost \$180 million," Jessica Realin said.

Jessica Realin called the report "disingenuous," the result of a consultation with a League of Cities ally in Oklahoma that had once presented a similar report to get a similar bill shot down.

She said a more honest representation of how a PTSD compensability bill would affect the state comes from a different set of statistics: The number of claims filed since Florida legalized physical-mental claims in 2007.

Physical-mental claims are workers' compensation claims for mental injuries accompanied by physical injuries.

"That law has been enacted since 2007 ... and there have been less than 1,000 claims," Jessica Realin said.

Patronis told House Government Accountability Committee lawmakers that the League of Cities' study was trying to pass off "each and every 'worst case scenario' possible" as a realistic outcome of the PTSD bills.

Hours after he sent his email, the League of Cities dropped its opposition.

Florida League of Cities legislative counsel David Cruz told WorkCompCentral Friday that the organization dropped its opposition because of an amendment made to the bill that limited its scope.

"Due to the fact the sponsors of the bill have greatly narrowed the scope of the bill, the League of Cities dropped its opposition to the bill based on the reduced fiscal impact to Florida cities," Cruz said.

The original proposal allowed first responders to collect workers' compensation benefits for mental or nervous injuries sustained after witnessing a "murder, suicide, fatal injury or child death," or arriving on the scene of a mass-casualty situation.

The revised proposal, published Wednesday, lists only specific instances in which first responders can collect PTSD benefits.

Under the revised proposal, first responders can collect benefits if they have, among other situations:

- Witnessed the death of a minor.
- Witnessed an injury of a minor who subsequently died.
- Witnessed a death, including suicide, that “involved grievous bodily harm of a nature that shocks the conscience,” or the aftermath of such a death.
- Witnessed a homicide.

Paolo Longo, Gerry Realin’s attorney, thinks that this will be the year for a first responder PTSD bill to pass. Longo has advocated for such a bill since the 2016 Pulse shooting, after which he and Jessica Realin teamed up with Sen. Victor Torres, D-Orlando, to draft a similar measure.

“I’d like to think it would have passed anyway, and if anything, Parkland solidified the belief they need to get this done, and get it done faster and in a way that’s less partisan,” Longo said.

After the Parkland shooting, students from Marjory Stoneman Douglas High School advocated at the Statehouse for a measure to ban semiautomatic guns and large-capacity magazines.

The Legislature rejected that measure in late February as students watched from the gallery of the Capitol.

In the days after the Parkland shooting, Gov. Rick Scott and many of Florida’s Republican lawmakers attempted to turn the political conversation from gun control to mental health, the Miami Herald reported.

Patronis referenced this attempted conversation shift in his Naples Daily News opinion piece.

“I fully support increased mental health screening, counseling and training, but it would be shameful if our first responders were forgotten about in this conversation,” Patronis said.