



**Ohio  
Retirement  
Study  
Council**

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To: ORSC Members  
From: Jeffery A. Bernard, Senior Research Associate *JAB*  
Date: February 18, 2021  
Subject: Post-Traumatic Stress Disorder Fund and Study (H.B. 308)

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### H.B. 308 Summary

H.B. 308 creates the State Post-Traumatic Stress (PTSD) Fund in the state treasury and requires the Ohio Police and Fire Pension Fund (OP&F) to prepare an actuarial report on the funding requirements of the PTSD Fund.

### PTSD Fund

The PTSD Fund is to be used to pay compensation for lost wages to public safety officers who are disabled by employment related to PTSD without an accompanying physical injury. It is also to be used to pay for medical related expenses arising from treating the PTSD and administrative costs of the fund. The bill does not specify moneys for the fund or define a public safety officer.

### H.B. 308 Actuarial Study

The bill requires the Board of Trustees of OP&F to prepare a disinterested actuarial valuation of the funding requirements of the PTSD Fund no later than October 1, 2021. OP&F is to be reimbursed no more than \$500,000 by the Office of Budget and Management to complete the study. If the costs exceed \$500,000 they will be presumably be assessed to OP&F. The report is to include *only* the following:

- 1) A description of lost wage compensation and medical benefit amounts evaluated;
- 2) A description of the participant group or groups included in the report;

- 3) A projection of the number of participants eligible for lost wage compensation and medical benefits from the fund;
- 4) A projection of the potential claims per year;
- 5) A projection of the average benefit amount based on weekly wages;
- 6) A projection of the cost of health care and pharmacy benefits;
- 7) A cost comparison showing the projected administrative costs differentials based on the OP&F Board creating a program versus contracting with other private and public entities;
- 8) A cost comparison as to which, if any, state retirement system or other administrator is best suited to administer the fund;
- 9) A review of how other states administer funds that are similar to the fund;
- 10) An analysis of whether an administrative appeals process is necessary or useful to the resolution of claims for compensation, benefits, or both from the fund;
- 11) If it is determined that an administrative appeals process is necessary or useful to the resolution of claims, an analysis of which entity is best suited to administer the process; and
- 12) An analysis of any other issue identified by the consulting entities.

H.B. 308 requires that the actuarial analysis and report be done in consultation with all of the following: The Ohio Chamber of Commerce, The National Federation of Independent Business, The Ohio Manufacturers' Association, The County Commissioners Association of Ohio, The Ohio Township Association, The Ohio Municipal League, The Fraternal Order of Police of Ohio, The Ohio Association of Professional Firefighters, The Public Employees Retirement Board, The State Teachers Retirement Board, The School Employees Retirement Board, and The State Highway Patrol Retirement Board.

The Ohio Retirement Study Council is not included in those to be consulted. ORSC staff notes that by including and involving OP&F and the other state retirement systems the bill envisions or assumes a connection between workplace injury, temporary disability, and the retirement systems that does not exist in retirement law. Temporary injuries are addressed through the Bureau of Workers' Compensation program (BWC) while disabilities that are *presumed permanent* are addressed through retirement law; this has traditionally been a clear division line. Should any eventual PTSD program result from the H.B. 308, ORSC staff would recommend a more thorough analysis of the legislation and that neither OP&F, nor any other state retirement system, be involved in any way in the administration, management, or funding of a temporary disability program.