



April 10, 2022

Commissioner Roslyn Robertson  
Minnesota Department of Labor and Industry  
443 Lafayette Road North  
St. Paul, MN 55155  
By email – [Kate.Perushek@state.mn.us](mailto:Kate.Perushek@state.mn.us)

**Re: WCAC Consideration of Legislative Proposals, HF 4026, SF 394**

Dear Commissioner Robertson and Members of the Workers' Compensation Advisory Council:

On behalf of the League of Minnesota Cities Insurance Trust (LMCIT), a self-insurance pool providing workers' compensation coverage to almost all cities and standalone police and fire departments in Minnesota, except for nine large, self-insured cities including Minneapolis and St. Paul, I am writing to express our position on legislative efforts to address the financial and human costs of post-traumatic stress disorder (PTSD) on public safety personnel throughout the state.

PTSD became compensable under Minnesota workers' compensation law in 2013. In 2019, it became presumed as work-related. When the initial legislation and amendment were introduced, the expectation was that PTSD would be a relatively unusual claim and that diagnosis and treatment would typically lead to a return to work. That has regrettably not proven to be the case.

We have written to the WCAC before about our concerns regarding the use of presumptions in workers' compensation, on February 23, 2021 and January 25, 2022. Beyond that, however, PTSD is creating unsustainable pressure on public safety within our state. LMCIT has convened many stakeholder meetings over many months to consider solutions. When the authors conceived of this draft legislation, they did the same. The issue has become stark.

As of February 28, 2022, LMCIT has received 329 PTSD claims. We have paid out \$16.89 million and incurred \$37.54 million. Even though these 329 claims only represent about 1% of all the workers' compensation claims we have received since 2013, we project they will constitute approximately 37% of losses across all covered city job classes this year. Those are costs that were not part of the workers' compensation system a few years ago and have led to significant increases in our rates. We are a local government self-insurance pool. We do not have private shareholders. Those funds come directly or indirectly from local property taxpayers.

In addition to the financial impact, we have even more pressing concerns about the human and social costs of these claims. Currently, far too many public safety professionals are leaving promising careers because of untreated mental health challenges. That places a burden on their

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agencies and is potentially devastating to the individuals and their families. It is short-sighted to think that writing a check will solve the problem; people, families, and communities will still be suffering. The mental health education, treatment, and support contained in this legislation would help address this. PTSD is treatable and we should create incentives for injured employees to do the sometimes difficult work of healing.

The workers' compensation system is not designed to handle large numbers of claims based on chronic conditions of uncertain and multiple origins, PTSD or otherwise. Without the sorts of changes envisioned by this legislation, the problems we all see will just multiply.

There aren't easy answers to these questions. Frankly, the proposed legislation doesn't incorporate all of our goals or suggestions either. It's a reasonable first step, though, and simply rejecting it without offering viable alternatives won't solve the problem. We urge the Council to thoughtfully consider the proposals before you and support action that will lead to long-term solutions.

Please let me know if you have questions or need additional information.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Daniel J. Greensweig', with a stylized flourish at the end.

Daniel J. Greensweig

Administrator

League of Minnesota Cities Insurance Trust