



COUNTY ADVISORY BULLETIN

CAB

Published by the County Commissioners Association of Ohio

209 East State Street • Columbus, Ohio 43215-4309
Phone: 614-221-5627 • Fax: 614-221-6986 • www.ccao.org

Bulletin 2026-03

July 2026

STATE POST-TRAUMATIC STRESS (PTS) FUND

APPLICABLE LEGISLATION: House Bill 479 (136th General Assembly)

REVISED CODE SECTIONS ENACTED: 5119.74, 5119.75, 5119.76, 5119.77, 5119.78

REVISED CODE SECTIONS RENUMBERED: 5502.75

LEAD SPONSORS: Representative Jean Schmidt

HOUSE COSPONSORS: Deeter, Stephens, Somani, Abrams, Brennan, Brownlee, Click, Dovilla, Grim, Hall, D., Hiner, Holmes, Lett, Odioso, Rader, Robb Blasdel, Rogers, Sigrist, Thomas, C., Williams

SENATE COSPONSORS: Johnson, Huffman, Romanchuk, Antonio, Brenner, Cirino, Craig, Cutrona, DeMora, Gavarone, Hicks-Hudson, Ingram, Lang, Liston, Manning, O'Brien, Patton, Reineke, Schaffer, Smith, Timken, Weinstein

EFFECTIVE DATE: September 23, 2026

BACKGROUND

Under the Ohio Bureau of Workers' Compensation (BWC), first responders have historically been eligible to receive compensation for job-related post-traumatic stress disorder (PTSD) with an accompanying physical injury. In 2013, an Ohio Supreme Court ruling narrowed this coverage by requiring that claimants establish that the PTSD is causally related to the compensable physical injuries ([*Armstrong v. John R. Jurgensen Co., 136 Ohio St.3d 58, 2013-Ohio-2237*](#)).

Since then, state legislators have introduced bills in subsequent General Assemblies that would make job-related post-traumatic stress disorder without an accompanying physical injury in first responders covered under the BWC. Over the years, public employers have generally opposed such an expansion. Additionally, private employers have also opposed the expansion for fear of a "slippery slope" expansion that could apply to private employees in addition to publicly employed first responders.

HOUSE BILL 308 – 133RD GENERAL ASSEMBLY

In December 2020, after much debate, the legislature passed House Bill 308 (Representative Tom Patton) and Governor DeWine signed the bill into law. HB 308 took effect on April 21, 2021. The bill took a different approach to providing assistance to first responders with work-related PTSD.

HB 308 created the State Post-Traumatic Stress (PTS) Fund in the state treasury. R.C. 126.65 required the fund be used to pay for compensation for lost wages, payment of medical bills, and administrative costs of providing these benefits to first responders. The creation of this fund signaled that the legislature intended to create a program to provide compensation for first responders with job-related PTSD, but that such a program would exist outside of the BWC system.

HB 308 did not deposit any money into the fund, nor did it provide a funding mechanism. R.C. 126.65(D) prohibited the state from making any payments from the fund. It stated no person is eligible for any claims and no liability shall accrue to any state party under this section.

HB 308 also required the Ohio Police and Fire Pension Fund (OP&F) to contract with a disinterested third-party actuary to provide a report of actuarial analysis that includes an actuarial valuation of the funding requirements of the State PTS Fund. During that process, the third-party was required to consult CCAO and other groups representing local governments, labor, business groups, and state retirement systems.

The [final report](#), issued in December 2021, generally concluded that the program should begin as a five-year pilot program and should be administered through BWC. However, since that did not seem to be politically feasible, the report concluded that a state agency should administer the pilot program. The actuarial analysis estimated an annual cost range of \$89 million to \$106 million for the operation of the program.

HOUSE BILL 184 – 136TH GENERAL ASSEMBLY

House Bill 184 (Representatives Brian Stewart and Ty Mathews) became a legislative vehicle for capital reappropriations and other budget clean up items in December 2025. In HB 184, the legislature directed the Office of Budget and Management to deposit \$40 million in state General Revenue Funds (GRF) to the State PTS Fund.

The bill also changed the code section governing the fund to R.C. 5502.75, provided a definition of “public safety officer,” and made the director of the Ohio Department of Public Safety (DPS) the administrator of the fund, signaling that the program would be run the DPS. No other details were included, and the dollars were not appropriated.

The prohibition on the state making payments from the fund or anyone accruing eligibility for the fund remained.

Governor DeWine signed HB 184, and it became effective March 20, 2026.

HOUSE BILL 479 – 136TH GENERAL ASSEMBLY

House Bill 479 (Representative Jean Schmidt) became another budget clean up legislative vehicle in June 2026. The bill appropriated the previously deposited \$40 million in state GRF for the State PTS Fund and provided a structure for how the fund will operate. The details of HB 479 are described in this bulletin.

DEFINITIONS

“Public safety officer” means all the following, whether paid or volunteer:

- A peace officer, as defined in R.C. 2935.01 (includes sheriffs and deputy sheriffs);
- A special police officer employed by the department of behavioral health pursuant to R.C. 5119.08 or the department of developmental disabilities pursuant to R.C. 5123.13;
- A firefighter of a lawfully constituted fire department;
- A first responder, emergency medical technician-basic, emergency medical technician-intermediate, or emergency medical technician-paramedic certified under Chapter 4765. of the Revised Code.

(R.C. 5119.74(A)(1))

“Post-traumatic stress injury” is defined as:

- Post-traumatic stress disorder;
- Acute stress disorder;
- Any other specified stress-related disorder identified in the version of the diagnostic and statistical manual of mental disorders published by the American psychiatric association in effect on September 23, 2026.

(R.C. 5119.74(A)(2))

“Mental health professional” is defined as:

- A psychiatrist as defined in R.C. 5122.01;
- A licensed psychologist as defined in R.C. 4732.01(H);
- A professional clinical counselor or a professional counselor licensed under Chapter 4757. of the Revised Code.

(R.C. 5119.74(A)(3))

PURPOSE OF THE STATE POST-TRAUMATIC STRESS FUND

The State PTS Fund shall be used for:

- Reimbursement of the medical, nurse, therapy, and hospital services and medicines for a PTS injury; and
- Payment of administrative costs incurred in providing the compensation and benefits reimbursements.

The purpose of the fund was altered from previous bills discussed above. The code no longer provides for compensation for lost wages.

(R.C. 5119.74(C))

OHIO DEPARTMENT OF BEHAVIORAL HEALTH AS ADMINISTRATING AGENCY

HB 479 provides for administration of the fund through the Ohio Department of Behavioral Health (DBH). DBH is responsible for providing staff services, office space, and equipment for the administration of the fund.

(R.C. 5119.75(A); R.C. 5119.75(F))

POST-TRAUMATIC STRESS FUND COMMISSION

The bill creates a Post-Traumatic Stress Fund Commission (the Commission) within DBH to administer the State PTS Fund. The Commission consists of the following five voting members and one unvoting member:

- The Office of Budget and Management Director or designee (nonvoting member);
- The DBH Director or designee (who will serve as Commission Chair);
- The BWC Administrator or designee;
- A member in good standing representing firefighters of the Ohio Association of Professional Firefighters appointed by the Senate President;
- A member in good standing representing peace officers of a fraternal organization representing law enforcement officers appointed by the Speaker of the House of Representatives;
- A member who is a mental health professional appointed by the Governor with the advice and consent of the Senate.

There is no employer representation on the Commission. CCAO intends to continue advocacy for the addition of employer representation.

Initial appointments must be made by December 22, 2026.

The initial terms for the appointed members are as follows:

- The mental health professional will serve a one-year term, ending on September 23, 2027.
- The member representing peace officers will serve a two-year term, ending on September 23, 2028.
- The member representing firefighters will serve a three-year term, ending on September 23, 2029.

Following the initial terms, appointees will serve four-year terms. Reappointments are allowable and vacancies will be filled by the original appointment authority.

Members of the commission are not compensated but will be reimbursed for actual expenses.

(R.C. 5119.75(A-E))

COMMISSION RULEMAKING AND ADMINISTRATION OF THE FUND

The Commission is charged with rulemaking to implement and administer the fund. Specifically, the Commission must establish procedures for public safety officers to apply for reimbursement from the fund and identify the documents that must be submitted with an application. The documents should demonstrate the types of treatment the individual received for a PTS injury, the amount of treatment paid for by an insurance plan, and the out-of-pocket expenses the individual incurred for treatment.

(R.C. 5119.75(G))

COMMISSION ANNUAL REPORT

The Commission is required to submit an annual report to the Governor and General Assembly. The first report is due on September 23, 2026; subsequent reports are due annually on September 23rd.

The report must include the following information and recommendations:

- Extent of fund utilization by public safety officers;
- Health and employment outcomes of public safety officers who utilize the fund;
- The fund's solvency;
- Proposed statutory changes necessary to further the state's interest in assisting public safety officers who sustain PTS injuries in the course of, and arising out of, their employment, including whether the fund should be continued, expanded, or modified.

(R.C. 5119.75(H))

FUNDING MECHANISM

The State PTS Fund is a dedicated purpose fund and shall consist of any money appropriated to it by the General Assembly, any interest and earnings from the fund, and any other donations, grants, gifts, or other money received. The Commission is the trustee of the fund. Previously, the trustee of the fund was the director of DPS.

HB 479 appropriates \$40 million in state GRF dollars to the State PTS Fund in State Fiscal Year 2027.

HB 479 and the relevant Revised Code sections do not provide a mechanism for the Commission to assess public employers premiums to contribute to the State PTS Fund.

(R.C. 5119.74(C); Section 10, Fund 5DN1 ALI 336427)

ELIGIBILITY FOR REIMBURSEMENT

A peace officer is eligible for reimbursement from the fund for PTS injury if all of the following apply:

- At the time of filing an application, the individual is employed as a public safety officer.
- The individual has been diagnosed by a mental health professional as having a PTS injury without an accompanying physical injury.
- The individual's PTS injury was caused by, and arose out of, an event or an accumulation of events occurring during the individual's employment as a public safety officer while the individual was acting within the scope of the individual's duties.
- The individual files an application in a form prescribed by the Commission.
- The individual submits any other information required to be submitted with the individual's application as required by the Commission.

Eligibility for reimbursement is subject to available funds in the State PTS Fund. If the Commission must limit eligibility due to limitations on available funds, applications will be prioritized in order of filing date.

(R.C. 5119.76(A))

APPLICATION REVIEW

The Commission will review applications and approve, in writing, payments from the State PTS Fund. If a payment is denied or partially denied, the Commission's written order must state a reason.

If the Commission denies reimbursement, in full or in part, individuals are eligible for an adjudication hearing under Chapter 119 of the Revised Code.

(R.C. 5119.76(B))

REIMBURSABLE EXPENSES AND LIMITATIONS ON REIMBURSEMENT

A public safety officer with a PTS injury without an accompanying physical injury caused by, and arising out of, the officer's employment as a public safety officer is entitled to reimbursement from the State PTS fund for any out-of-pocket costs for the treatment of the injury.

Reimbursable expenses include out-of-pocket costs for all of the following:

- Initial diagnosis;
- Counseling or therapy;
- Medication;
- Mental health facility expenses;
- In-patient or out-patient treatment.

(R.C. 5119.77 (A))

The amount of reimbursement for a PTS injury is capped at \$50,000. The Commission may authorize payment greater than \$50,000 if the officer's application lists out-of-pocket expenses above the \$50,000 threshold and the Commission determines that the requested additional reimbursement is available in the fund.

(R.C. 5119.77 (B))

EMPLOYER PROHIBITIONS

Employers, including counties, are prohibited from discharging, demoting, reassigning, or taking any punitive action against any public safety officer because the officer filed a claim or instituted, pursued, or testified in any proceedings related to reimbursement paid from the State PTS Fund as a result of a diagnosis of a PTS injury received in the course of, and arising out of, employment as a public safety officer but without an accompanying physical injury.

If action is taken against a public safety officer, that officer may file an action in the common pleas court of the county of the officer's employment. Relief is limited to reasonable attorney fees and reinstatement with back pay, if the action is based on discharge, or an award for wages lost if based on demotion, reassignment, or punitive action taken, offset by earnings subsequent to discharge, demotion, reassignment, or punitive action taken.

Action must be taken within 180 days immediately following the discharge, demotion, reassignment, or punitive action taken. No action may be instituted or maintained unless the employer has received written notice of a claimed violation of this section within the 90 days immediately following the discharge, demotion, reassignment, or punitive action taken.

This section has been attached to the fund since HB 308 and remains in HB 479 unaltered.

(R.C. 5119.78)