

April 21, 2023

Dear Chair Latz and Members of the Senate Judiciary and Public Safety Committee,

The Association of Minnesota Counties and Minnesota Inter-County Association thank Representative Her for her work on SF1959 and write today in support of the bill's underlying provisions. Importantly, we also note the need to work to identify an ongoing funding source for this most critical provision.

Minnesota, like other states across the nation, has dealt with a historic increase in the amount of duty disability departures due to post traumatic stress disorder (PTSD). In the last three years alone, PERA Police and Fire Plan disability applications for duty disability pension benefits due to mental health issues have increased from 118 in 2019 to 241 in 2020 to 307 in 2021 with a nearly 100% approval rate. More recently, PERA has also identified that ongoing disability trends is having real and significant costs to the sustainability of the Police and Fire Pension Plan. While much of the media attention has been on the dramatic increase of PTSD-related departures in the metropolitan area, we have heard an equal level of concern from elected county commissioners and sheriffs across the state. These heightened departure rates combined with already evident workforce shortages and smaller-than-average academy class sizes point to a serious endemic of an availability of public safety personnel. **Simply put, there are and will continue to be insufficient numbers of public safety personnel and recruits to replace those leaving if we do not fix this system.** Moreover, with departure trends and less availability of workforce, employers have serious concerns about adding even more workplace and emotional burdens to existing staff—all of which will lead to further workplace exhaustion, lower retention rates, and poorer outcomes for all those involved. All told, it is incumbent on the Legislature to act on this critical and timely issue.

For over two years, counties have had the privilege of being part of a Public Safety Duty Disability Stakeholder Group. This group has been composed of a multitude of local government employers as well as law enforcement and union representatives. While this broad group represents various, and at times divergent, stakeholder interests it has been clear that all agree the status quo is unacceptable. Equally so, all members of the work group have stressed the importance of making sure there are readily available resources for mental health support and treatment and that employers are sharing best practices to provide upstream services that can alleviate some of the systemic pressure points. There is no doubt that the current duty disability process is unsustainable and resulting in less-than-ideal outcomes with increasing numbers of employees never returning to work and leaving their profession permanently.

**As counties approach solutions to this serious issue, we center our priority on getting employees the mental health support they need with the primary goal of recovery and safely returning people back to the profession.** As several mental health professionals have pointed out (both in our work group and before the Workers Compensation Advisory Council), PTSD is treatable. Stakeholders are unified in agreeing that the primary objective should be not the litigation of benefits or a decision to depart from the field, but rather to make sure individuals have the support they need to get treatment and hopefully return back to the career they invested so much to be in. In fact, with the proper treatment and support, the work return rate can be very high. For cases where return is not possible, AMC and MICA continue to support access to current duty disability benefit structures.

SF 1959 inverts the current duty disability by first prioritizing mental health treatment and making certain that the individuals receiving treatment are compensated for their time off and have their medical service needs reimbursed. **As currently drafted, however, SF1959 appropriates \$100 million of one-time funding for health insurance, duty disability and mental health treatment expenses that will be ongoing. Ensuring these costs are fully reimbursed by the state has been a key expectation throughout development of the legislation. We appreciate the inclusion of annual reporting language on depletion of the one-time appropriation but are greatly concerned that the costs of this extensive new treatment program will ultimately be paid by local governments.** Reasonably so, local governments are concerned about this precedent and the potential to cause extreme stress on local budgets and abilities to fund public safety personnel and responses long term. We would ask the Legislature to work to identify resources to make this new program funded long term.

In summary, we believe SF1959 represents a comprehensive approach hope to reduce the number of PTSD claims altogether by providing employees with better tools to diagnose mental health stresses earlier on and providing protected and compensated leave for employees to truly get the care the need in the hope of return to their profession.

We thank Senator Frentz, Rep. Her, and the vast array of public employer and employee groups for their work on this legislation. We look forward to continuing work together to bring lasting solutions forward that provide the help and support our public safety responders deserve.

Sincerely,



**Matt Hilgart**  
Association of Minnesota Counties



**Matt Massman**, Executive Director  
Minnesota Inter-County Association