

Proposed Amendment to Bill No. 260521

Proposed Deletions in ~~Strikethrough~~
Proposed Additions in **Bold**

AN ORDINANCE

Amending Title 22 of The Philadelphia Code, entitled "Public Employees Retirement Code," by modifying the circumstances when certain City of Philadelphia employees are entitled to service-connected death benefits, all under certain terms and conditions

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

SECTION 1. Title 22 of The Philadelphia Code, entitled "Public Employees Retirement Code" is amended as follows:

TITLE 22. PUBLIC EMPLOYEES RETIREMENT CODE

* * *

CHAPTER 22-500. DEATH BENEFITS

§ 22-501. Service-Connected Death and Health Care Benefits.

(1) Death due solely to performance of member's duties. If the Board determines that the death of a member resulted solely from the performance of the duties of such member's position and was not caused by the member's own wrongful conduct, a service-connected death benefit shall become payable. The Board shall avail itself of the services of the Medical Panel in making its determination whether the member died solely as a result of the performance of the duties of the member's position. This subsection (1) does not apply to death benefits payable under subsection [(1.1).] *(1.1) or (1.2)*. Members awarded death benefits under subsections (1.1) *or (1.2)* are not eligible to receive death benefits under this subsection (1).

* * *

(1.2) Death by suicide after experiencing a traumatic event in the line of duty.

*(a) If the Board determines that a first responder's experience of one or more traumatic events in the line of duty was a substantial factor in connection with such first responder's ~~suicide~~, **suicide on or after July 1, 2016**, a service-connected death benefit shall become payable.*

(b) *Definitions. The following terms have the following meanings in this Section (1.2).*

(.1) First responder. Any ~~current and former~~ uniformed member of the Fire Department, as defined in Section 22-105, or any ~~current or former~~ uniformed officer or investigatory member of the Police Department, as defined in Section 22-105, or of the District Attorney's Office of the City.

(.2) Traumatic event. An incident or exposure:

(.a) resulting in serious bodily injury or death to an individual;

(.b) involving a minor who has been injured, killed, abused or exploited;

(.c) involving an immediate threat to the life of the claimant or another individual; or

(.d) involving mass ~~casualties~~; or

~~—(.e) responding to crime scenes for investigations.~~
casualties.

*(c) Presumption. For the purpose of this subsection 22-501(1.2), ~~the suicide of a first responder shall be presumed to have~~ **there shall be a rebuttable presumption that a suicide** occurred because of experiencing a traumatic event in the line of duty if:*

(.1) The individual had a psychiatric disorder diagnosed by a licensed medical or mental health professional, such as a post-traumatic stress injury, acute stress disorder, or trauma and stress-related disorder, due in significant part to exposure to one or more traumatic events in the line of duty; or

*(.2) The individual ~~acted~~ **dies by suicide** within 45 days after exposure to a traumatic event in the line of duty.*

(d) Medical Panel. The Board shall avail itself of the services of the Medical Panel in making its determination whether such first responder's experience of one or more traumatic events in the line of duty was a substantial factor in connection with such first responder's suicide, taking into consideration the presumptions in subsection (1.2)(c).