



2019 CLM Workers Compensation Conference

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PTSD CLAIMS FROM FIRST RESPONDERS

PTSD claims are on the rise and successfully combating these claims requires knowing how to respond from the onset. Claimants may include police officers, EMTs, nurses or firefighters who all have specific return to work needs. The history of PTSD is complex, and successful treatment will depend on the worker's prior mental health treatment, whether the claimant is also treating for orthopedic injuries or another mental health condition. Mental health injuries can be complex and will involve specific diagnostic and medical intervention.

Treatment for PTSD and other mental health disorders range from medication to intensive psychiatric intervention. Adjusters who are involved in a mental health claim will want to diligently monitor the claimant's mental health treatment program, including the medical credentials of physician, prescribed medication and subjective reports of recovery.

Police officers and first responders are involved in many scenarios that may result in a PTSD claim. Some situations which may result in a PTSD claim include an active shooter, police-involved shooting, fires and/or dealing with death at the scene. People who handle these types of claims will want to monitor potential PTSD complaints and ongoing treatment.

The credentials of the physician matter when dealing with a PTSD claim. Don't accept a primary care provider's diagnosis of PTSD. Look for diagnoses from experienced psychiatrists or psychotherapists. A red flag in a claimant's PTSD claim is when a general practitioner prescribes medications for mental health conditions and/or diagnoses a claimant with PTSD.

The best way to defeat a mental health claim is examining claimant's prior mental health treatment. Obtain a medical history and start comparing a claimant's pre-injury treatment and mental health recommendations to their post-injury treatment. Look for similar prescriptions and treatment plans to defend against an alleged mental health injury.