To amend the Omnibus Crime Control and Safe Streets Act of 1968 to provide public safety officer death and disability benefits for certain public safety officers who contract COVID-19, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

APRIL 14, 2020

Mr. Nadler (for himself, Mr. Rose of New York, and Mr. Pascrell) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To amend the Omnibus Crime Control and Safe Streets Act of 1968 to provide public safety officer death and disability benefits for certain public safety officers who contract COVID-19, and for other purposes.

1 Be it enacted by the Senate and House of Representa-
2 tives of the United States of America in Congress assembled,
3 SECTION 1. SHORT TITLE.
4 This Act may be cited as the “Public Safety Officer
5 Pandemic Response Act of 2020”.

 VerDate Sep 11 2014 22:46 Apr 21, 2020 Jkt 099200 PO 00000 Frm 00001 Fmt 6652 Sfmt 6201 E:\BILLS\H6509.IH H6509pamtmann on DSKBC07HB2PROD with BILLS
SEC. 2. DEATH AND DISABILITY BENEFITS FOR PUBLIC SAFETY OFFICERS IMPACTED BY COVID-19.

Section 1201 of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10281) is amended by adding at the end the following new subsection:

“(o) For purposes of this part:

“(1) COVID-19 shall be presumed to constitute a personal injury within the meaning of subsection (a), sustained in the line of duty by a public safety officer and directly and proximately resulting in death, unless such officer was not on duty during the 45-day period prior to being diagnosed with COVID-19.

“(2) The Attorney General shall accept claims, including supplemental claims, under this section from an individual who—

“(A) was serving as a public safety officer and was injured or disabled in the line of duty as a result of the terrorist attacks on the United States that occurred on September 11, 2001, or in the aftermath of such attacks developed a condition described in section 3312(a) of the Public Health Service Act (42 U.S.C. 300mm–22(a)); and

“(B) was diagnosed with COVID-19 during the period described in paragraph (3),
which, in combination with the injury or dis-
ability described in subparagraph (A), perma-
nently and totally disabled or directly and
proximately resulted in the death of the indi-
vidual.

In assessing a claim under this paragraph, the pre-
sumption of causation described in paragraph (1)
shall apply.

“(3) The presumption described in paragraph
(1) shall apply with respect to a diagnosis of
COVID-19 beginning on January 20, 2020, and
ending on the date that is one year after the emer-
geney period (as such term is defined in section
1135(g) of the Social Security Act (42 U.S.C.
1320b–5(g))) based on the COVID-19 public health
emergency ends.

“(p) In determining whether the personal injury re-
sulting from COVID-19 was a catastrophic injury, the At-
torney General’s inquiry shall be limited to whether the
individual is permanently prevented from performing any
gainful work as a public safety officer.”.