

Sixty-second  
Legislative Assembly  
of North Dakota

**SENATE BILL NO. 2093**

Introduced by

Industry, Business and Labor Committee

(At the request of Workforce Safety and Insurance)

A BILL for an Act to ~~amend and reenact paragraph 10 of subdivision b of subsection 10 of section 65-01-02 of the North Dakota Century Code, relating to the definition of mental injuries arising from a mental stimulus; and to provide for application~~provide for a legislative management study of workers' compensation coverage for mental injuries arising from mental stimulus.

**BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

~~**SECTION 1. AMENDMENT.** Paragraph 10 of subdivision b of subsection 10 of section 65-01-02 of the North Dakota Century Code is amended and reenacted as follows:~~

~~(10) A mental injury arising from mental stimulus, unless the injury is a direct result of being the intended victim of a violent crime, but only when the mental injury is determined with reasonable medical certainty to be at least fifty percent of the cause of the condition as compared with all other contributing causes combined, and only when the condition did not preexist the work injury. For purposes of this subsection, violent crime means the commission or attempt of the offenses of murder and nonnegligent manslaughter, forcible rape, robbery, and aggravated assault as defined in the federal bureau of investigation's uniform crime reporting program in effect on the effective date of this Act. All benefits payable under this subsection are limited to a total of fifteen thousand dollars and may not extend beyond six months from the date of injury, whichever occurs first.~~

~~**SECTION 2. APPLICATION.** This Act applies only to injuries occurring on or after the effective date of this Act.~~

**SECTION 1. WORKERS' COMPENSATION COVERAGE OF MENTAL INJURIES - LEGISLATIVE MANAGEMENT STUDY.** During the 2011-13 interim, the legislative

1 management shall consider studying the feasibility and desirability of providing workers'  
2 compensation coverage for a workplace injury that is a mental injury arising from a mental  
3 stimulus. The legislative management shall report its findings and recommendations, together  
4 with any legislation required to implement the recommendations, to the sixty-third legislative  
5 assembly.