

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas
2 83rd General Assembly
3 Regular Session, 2001

A Bill

HOUSE BILL 2591

4
5 By: Representative J. Elliott
6
7

For An Act To Be Entitled

8
9 AN ACT TO AMEND ARKANSAS CODE 11-9-113 CONCERNING
10 MENTAL INJURY OR ILLNESSES; AND FOR OTHER
11 PURPOSES.
12

Subtitle

13
14 TO AMEND ARKANSAS CODE 11-9-113
15 CONCERNING MENTAL INJURY OR ILLNESSES.
16
17

18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
19

20 SECTION 1. Arkansas Code 11-9-113 is amended to read as follows:

21 11-9-113. Mental injury or illness.

22 (a)(1) A mental injury or illness is not a compensable injury ~~unless~~
23 ~~it is caused by physical injury to the employee's body,~~ and shall not be
24 considered an injury arising out of and in the course of employment ~~or~~ and
25 compensable unless it is demonstrated by a preponderance of the evidence;
26 ~~provided, however, that this physical injury limitation shall not apply to~~
27 ~~any victim of a crime of violence.~~

28 (2) No mental injury or illness under this section shall be
29 compensable unless it is also diagnosed by a licensed psychiatrist or
30 psychologist and unless the diagnosis of the condition meets the criteria
31 established in the most current issue of the Diagnostic and Statistical
32 Manual of Mental Disorders.

33 (b)(1) Notwithstanding any other provision of this chapter, where a
34 claim is by reason of mental injury or illness, the ~~employee shall be limited~~
35 ~~to twenty six (26) weeks of disability benefits~~ injury shall be treated as
36 any other compensable injury.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36

(2)~~(A)~~ In case death results directly from the mental injury or illness within a period of one (1) year from the last time compensation was paid or two (2) years from the date of injury, compensation shall be paid the dependents as provided in other death cases under this chapter.

~~(B) Death directly or indirectly related to the mental injury or illness occurring one (1) year or more from the incident resulting in the mental injury or illness shall not be a compensable injury.~~