

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 86th General Assembly
3 Regular Session, 2007

A Bill

HOUSE BILL 2533

4
5 By: Representative L. Smith
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For An Act To Be Entitled

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9 AN ACT TO AMEND § 11-9-113 TO PROVIDE FOR THE
10 COMPENSABILITY OF MENTAL INJURY OR ILLNESS; TO
11 AMEND A PORTION OF THE ARKANSAS CODE WHICH
12 RESULTED FROM INITIATED ACT 4 OF 1948; AND FOR
13 OTHER PURPOSES.
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Subtitle

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16 AN ACT TO AMEND § 11-9-113 TO PROVIDE
17 FOR THE COMPENSABILITY OF MENTAL INJURY
18 OR ILLNESS AND TO AMEND A PORTION OF THE
19 ARKANSAS CODE WHICH RESULTED FROM
20 INITIATED ACT 4 OF 1948.
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23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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25 SECTION 1. Arkansas Code § 11-9-113 is amended to read as follows:
26 11-9-113. Mental injury or illness.

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

33 (2) No mental injury or illness under this section shall be
34 compensable unless it is ~~also~~ diagnosed by a licensed psychiatrist or
35 psychologist and unless the diagnosis of the condition meets the criteria
36 established in the most current issue of the Diagnostic and Statistical



1 Manual of Mental Disorders.

2 (b)(1) Notwithstanding any other provision of this chapter, where a
3 claim is by reason of mental injury or illness, the employee shall be limited
4 to ~~twenty-six (26)~~ fifty-two (52) weeks of disability benefits.

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

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

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