

ORDINANCE NO.

189737

*Extend benefits currently provided to eligible members of the Fire and Police Disability, Retirement and Death Benefit Plan. (Ordinance)

The City of Portland ordains:

Section 1. The City Council finds:

1. That the Fire and Police Disability and Retirement Fund ("FPDR") currently provides Occupational Disability benefits to eligible members of the Bureau of Fire and Rescue and the Bureau of Police.
2. That Enrolled Senate Bill 507 of the 80th Oregon Legislative Session – 2019 Regular Session requires that FPDR apply the provisions of Oregon Revised Statutes 656.802(7)(a) – (e) when processing claims for firefighters and police officers covered under Chapter 5 of the Charter of the City of Portland ("Charter").
3. That ORS 656.802(7)(a) – (e) provides that FPDR shall presume a firefighter or police Member who has at least five years of service as a full-time paid firefighter or police officer or experienced a single traumatic event that satisfies the criteria set forth in the DSM-5 as Criterion A for diagnosing post-traumatic stress disorder while employed by the Bureau of Fire and Rescue or Bureau of Police and remains employed as a firefighter or police officer or is separated from such employment not more than seven years previously is eligible for Occupational Disability benefits under the Fire and Police Disability, Retirement and Death Benefit Plan as stated in ORS 656.802(7).
4. That currently, Chapter 5 of the Charter does not provide that disability or impairment under ORS 656.802(7) is presumptively an Occupational Disability.
5. That pursuant to Portland City Charter Section 5-403(a), the Council may provide by ordinance for additional benefits to be paid from FPDR if the City of Portland is required by law to extend to members such additional benefits.

NOW, THEREFORE, the Council directs:

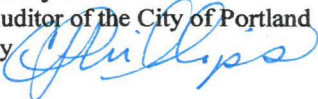
- a. That the FPDR extend to eligible firefighters and police officers the post-traumatic stress disorder/acute stress disorder presumptions as provided under 656.802(7) and as outlined below, on relevant occupational disability claims of eligible firefighters and police officers.

- b. That in doing so, FPDR utilize the criteria for post-traumatic stress disorder/acute stress disorder presumptions as set forth in ORS 656.802(7)(a)-(e) when processing claims for firefighters and police officers covered under Chapter 5 of the Charter.
- c. That the provisions in Exhibit "A" attached hereto be made a part of Chapter 5 of the Charter of the City of Portland effective September 29, 2019 and that the Board of Trustees have authority to prescribe rules and regulations for its administration.
- d. This ordinance is binding City policy.

Section 2. The City Council declares that an emergency exists in order that the amendments described in Section 1 hereof may be implemented without undue delay; therefore, this ordinance shall be in full force and effect from and after its passage by the City Council.

Passed by the City Council: OCT 16 2019

Commissioner: Jo Ann Hardesty
Prepared by: Sam Hutchison
Date Prepared: July 2, 2019

Mary Hull Cabellero
Auditor of the City of Portland
By 

Deputy

Agenda No.
ORDINANCE NO.
 Title

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INTRODUCED BY Commissioner/Auditor: Jo Ann Hardesty	CLERK USE: DATE FILED <u>OCT 08 2019</u>
COMMISSIONER APPROVAL Mayor—Finance & Administration - Wheeler Position 1/Utilities - Fritz Position 2/Works - Fish Position 3/Affairs - Hardesty <i>JA</i> Position 4/Safety - Eudaly	Mary Hull Caballero Auditor of the City of Portland By: <i>[Signature]</i> Deputy ACTION TAKEN:
BUREAU APPROVAL Bureau: FPDR Bureau Head: Sam Hutchison, Director <i>[Signature]</i> Prepared by: S. Hutchison/kk Date Prepared: July 2, 2019 Impact Statement Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/> Portland Policy Document If "Yes" requires City Policy paragraph stated in document. Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> City Auditor Office Approval: required for Code Ordinances City Attorney Approval: required for contract, code, easement, franchise, comp plan, charter <i>JA</i> Council Meeting Date 10/09/19	

AGENDA TIME CERTAIN <input type="checkbox"/> Start time: _____ Total amount of time needed: _____ (for presentation, testimony and discussion) CONSENT <input type="checkbox"/> REGULAR <input checked="" type="checkbox"/> Total amount of time needed: <u>15</u> (for presentation, testimony and discussion)	<table border="1"> <tr> <th>FOUR-FIFTHS AGENDA</th> <th colspan="2">COMMISSIONERS VOTED AS FOLLOWS:</th> </tr> <tr> <th></th> <th>YEAS</th> <th>NAYS</th> </tr> <tr> <td>1. Fritz</td> <td><input checked="" type="checkbox"/></td> <td></td> </tr> <tr> <td>2. Fish</td> <td><input checked="" type="checkbox"/></td> <td></td> </tr> <tr> <td>3. Hardesty</td> <td><input checked="" type="checkbox"/></td> <td></td> </tr> <tr> <td>4. Eudaly</td> <td><input checked="" type="checkbox"/></td> <td></td> </tr> <tr> <td>Wheeler</td> <td><input checked="" type="checkbox"/></td> <td></td> </tr> </table>	FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:			YEAS	NAYS	1. Fritz	<input checked="" type="checkbox"/>		2. Fish	<input checked="" type="checkbox"/>		3. Hardesty	<input checked="" type="checkbox"/>		4. Eudaly	<input checked="" type="checkbox"/>		Wheeler	<input checked="" type="checkbox"/>	
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