## GENERAL ASSEMBLY OF NORTH CAROLINA SESSION 2019

H.B. 573 Apr 3, 2019 HOUSE PRINCIPAL CLERK

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**HOUSE BILL DRH50075-LR-98B** 

Short Title: (Public) Give WC for PTSD in First Responders. Representatives Shepard, Torbett, and Saine (Primary Sponsors). Sponsors: Referred to:

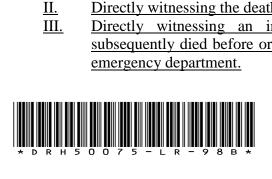
A BILL TO BE ENTITLED 1 2

AN ACT PROVIDING THAT FIRST RESPONDERS ARE ENTITLED TO BENEFITS UNDER THE WORKERS' COMPENSATION ACT FOR MENTAL OR NERVOUS INJURIES WHETHER OR NOT THE INJURIES ARE ACCOMPANIED BY PHYSICAL INJURIES UNDER SPECIFIED CIRCUMSTANCES.

The General Assembly of North Carolina enacts:

**SECTION 1.** G.S. 97-53 is amended by adding a new subdivision to read:

- "(30) Special provisions for employment-related occupational diseases of first responders. - The following rules apply in determining eligibility for compensation under this subdivision:
  - The term "first responder," as used in this section, means a law enforcement officer, firefighter, or an emergency medical technician or paramedic employed by State or local government. A volunteer firefighter meeting the requirement of G.S. 58-84-5(3a) is also considered a first responder of the State or local government for purposes of this section.
  - For the purposes of this section, posttraumatic stress disorder, as <u>b.</u> described in the Diagnostic and Statistical Manual of Mental Disorders, Fifth Edition, published by the American Psychiatric Association, suffered by a first responder without other injury is a compensable occupational disease that arises out of employment as a first responder and is due to causes and conditions that are characteristic of and peculiar to a particular trade, occupation, process, or employment if:
    - 1. The posttraumatic stress disorder resulted from the first responder acting within the course of his or her employment.
    - The first responder is examined and subsequently diagnosed <u>2.</u> with such disorder by a licensed psychiatrist who is an authorized treating physician due to one or more of the following events:
      - I. Seeing for oneself a deceased minor.
      - Directly witnessing the death of a minor.
      - Directly witnessing an injury to a minor who subsequently died before or upon arrival at a hospital



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As used in this subdivision, the term "directly witnessing" means to see or hear for oneself and the term "manually transporting" means to perform physical labor to move the body of a wounded person for his or her safety or

health awareness, prevention, mitigation, and treatment.

events listed in sub-subdivision b.2. of this subdivision, or the manifestation

A claim under this subdivision must be properly noticed within 52 weeks after

the qualifying event. An employing agency of a first responder, including

volunteer first responders, must provide educational training related to mental

medical treatment."

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**SECTION 2.** This act becomes effective July 1, 2019.

of the disorder, whichever is later.

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