

GENERAL ASSEMBLY OF NORTH CAROLINA
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HOUSE PRINCIPAL CLERK

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HOUSE BILL DRH30274-LR-79A

Short Title: Provide WC for PTSD in First Responders. (Public)

Sponsors: Representatives Grange, Saine, R. Turner, and Dobson (Primary Sponsors).

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT PROVIDING THAT LAW ENFORCEMENT OFFICERS, FIREFIGHTERS, AND
3 EMERGENCY MANAGEMENT SERVICES PERSONNEL ARE ENTITLED TO
4 WORKERS' COMPENSATION BENEFITS FOR MENTAL OR NERVOUS INJURIES
5 WHETHER OR NOT SUCH INJURIES ARE ACCOMPANIED BY PHYSICAL
6 INJURIES UNDER SPECIFIED CIRCUMSTANCES.

7 The General Assembly of North Carolina enacts:

8 SECTION 1. G.S. 97-53 reads as rewritten:

9 "§ 97-53. Occupational diseases enumerated; when due to exposure to chemicals.

10 The following diseases and conditions only shall be deemed to be occupational diseases
11 within the meaning of this Article:

12 ...

13 (30) Special provisions for employment-related occupational diseases of first
14 responders. – The following provisions apply in determining eligibility of a
15 first responder for compensation benefits under this Article:

16 a. The term "first responder," as used in this section, means a law
17 enforcement officer, a firefighter, or an emergency medical technician
18 or paramedic employed by State or local government. The term also
19 includes a volunteer firefighter meeting the requirement of
20 G.S. 58-84-5(3a).

21 b. For the purposes of this section, posttraumatic stress disorder, as
22 described in the Diagnostic and Statistical Manual of Mental
23 Disorders, Fifth Edition, published by the American Psychiatric
24 Association, suffered by a first responder without other injury is a
25 compensable occupational disease that arises out of employment as a
26 first responder and is due to causes and conditions that are
27 characteristic of and peculiar to a particular trade, occupation, process,
28 or employment if (i) the posttraumatic stress disorder resulted from the
29 first responder acting within the course of his or her employment and
30 (ii) the first responder is examined and subsequently diagnosed with
31 such disorder by a licensed psychiatrist who establishes within a
32 reasonable degree of medical certainty that the posttraumatic stress
33 disorder is a result of employment activities.

34 c. The disorder must be demonstrated by a preponderance of medical
35 evidence demonstrated by the licensed psychiatrist.



- 1 d. The time for notice of injury or death in cases of compensable
- 2 posttraumatic stress disorder under this subsection shall be measured
- 3 in accord with this Article, but must, in any instance, be filed within
- 4 52 weeks of diagnosis.
- 5 e. An employing agency of a first responder, including volunteer first
- 6 responders, must provide educational training related to mental health
- 7 awareness, prevention, mitigation, and treatment."

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