GENERAL ASSEMBLY OF NORTH CAROLINA SESSION 2019

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SENATE BILL 458

Second Edition Engrossed 5/2/19 House Committee Substitute Favorable 7/30/19 PROPOSED HOUSE COMMITTEE SUBSTITUTE S458-PCS45350-BP-15

Short Title: PTS Day/Cardiac Task Force/Titus's Law/Data.

(Public)

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Sponsors:

Referred to:

April 2, 2019

1	A BILL TO BE ENTITLED
2	AN ACT DESIGNATING POSTTRAUMATIC STRESS INJURY AWARENESS DAY IN
3	NORTH CAROLINA; ESTABLISHING A JOINT LEGISLATIVE TASK FORCE ON
4	SUDDEN CARDIAC ARREST IN STUDENT ATHLETES; ADDRESSING PARENTAL
5	CONSENT AND THE DISPOSITION OF FETAL REMAINS; AND AUTHORIZING
6	ENGAGEMENT WITH THIRD-PARTY TOXICOLOGY LABORATORIES TO GUIDE
7	RESOURCES.
8	Whereas, all citizens of the United States possess the basic human right to the
9	preservation of personal dignity; and
10	Whereas, all citizens of the United States deserve the investment of every possible
11	resource to ensure their lasting physical, mental, and emotional well-being; and
12	Whereas, the diagnosis known as posttraumatic stress disorder (PTSD) was initially
13	formulated in 1980 by the American Psychiatric Association to more accurately assess and assist
14	veterans who had endured severe combat stress in Vietnam; and
15	Whereas, combat stress is an invisible wound which has historically been unjustly
16	portrayed as a mental illness caused by a preexisting flaw of character or ability and that the word
17	"disorder" carries a stigma which perpetuates this misconception; and
18	Whereas, it has been shown through electromagnetic imaging that these invisible
19	wounds can cause physical changes to the brain that more accurately describe an injury than a
20	disorder; and
21	Whereas, referring to invisible wounds as a disorder can discourage the injured from
22	seeking proper and timely medical treatment; and
23	Whereas, referring to invisible wounds as posttraumatic stress injury (PTSI) is less
24	stigmatizing and viewed as more honorable, and this designation can favorably influence those
25	affected and encourage them to seek treatment without fear of retribution or shame; and
26	Whereas, PTSI can occur following exposure to extremely traumatic events other than
27	combat such as interpersonal violence, life-threatening accidents, and natural disasters; and
28	Whereas, PTSI satisfying criteria A through H of the diagnosis for PTSD in the
29	Diagnostic Statistical Manual deserves disability compensation equal to that allowed for PTSD
30	under the law; and
31	Whereas, timely and appropriate treatment of PTSI can diminish complications and
32	avert suicides; and
33	Whereas, all citizens suffering PTSIs deserve our compassion and consideration;
34	those brave men and women of the United States Armed Forces who have received these wounds



	General Assem	oly Of North Carolina	Session 2019	
	in operational action against an enemy of the United States further deserve our clear and obvious recognition; Now, therefore,			
	The General Ass	embly of North Carolina enacts:		
	PART I. DESIC	SNATE POSTTRAUMATIC STRESS INJURY A	AWARENESS DAY	
	SEC	FION 1. Chapter 103 of the General Statutes is a	amended by adding a new	
	section to read:			
	"§ 103-15. Posttraumatic stress injury awareness.			
	June 27 of each year is designated as Posttraumatic Stress Injury Awareness Day in North			
	Carolina."			
	PART II. ESTA	BLISH JOINT LEGISLATIVE TASK FORCE	ON SUDDEN CARDIAC	
	ARREST IN ST	UDENT ATHLETES		
	SEC	FION 2. There is created the Joint Legislative Tasl	k Force on Sudden Cardiac	
		t Athletes (Task Force).		
	SEC	FION 3. The Task Force shall consist of 10 membe		
	(1)	Two members of the Senate appointed upon the		
		President Pro Tempore of the Senate, with one of	those members serving as a	
		cochair.		
	(2)	Two members of the House of Representat		
		recommendation of the Speaker of the House of R	Representatives, with one of	
		those members serving as a cochair.		
	(3)	The Secretary of Health and Human Services or h		
	(4)	The Superintendent of Public Instruction or his or	-	
	(5)	A representative of the American Heart Assoc	iation appointed upon the	
		recommendation of the cochairs.		
	(6)	A representative of the North Carolina High Se		
		appointed upon the recommendation of the cochai		
	(7)	A representative of the North Carolina Athl		
	$\langle 0 \rangle$	appointed upon the recommendation of the cochai		
	(8)	A member of the North Carolina Chapter of	_	
	SEC	Cardiology appointed upon the recommendation of	of the cochairs.	
		FION 4. The Task Force shall study the following:	haart conditions in student	
	(1)	The frequency of sudden cardiac arrest or other athletes.	heart conditions in student	
	(2)	Other jurisdictions that have implemented strat	tegies to mitigate risks to	
	(2)	student athletes, such as mandatory heart exams.	legies to intrigate fisks to	
	(3)	The cost of requiring student athletes to be tested	for heart conditions	
	(4)	Any other issue the Task Force considers relevant		
		FION 5. The Task Force shall meet upon the call o		
	the Task Force is a majority of its members. No action may be taken except by a majority vote			
	at a meeting at which a quorum is present. The Task Force, while in the discharge of its official			
	duties, may exercise all powers provided for under G.S. 120-19 and G.S. 120-19.1 through			
G.S. 120-19.4. The Task Force may contract for professional, clerical, or consultant services, as				
provided by G.S. 120-32.02. If the Task Force hires a consultant, the consultant shall not be a				
State employee or a person currently under contract with the State to provide services. Members				
	of the Task Force shall receive per diem, subsistence, and travel allowance as provided in			
	G.S. 120-3.1, 138-5, or 138-6, as appropriate. The expenses of the Task Force shall be considered			
	expenses incurred for the joint operation of the General Assembly.			
	SECTION 6. The Legislative Services Officer shall assign professional and clerical			
	staff to assist the	Task Force in its work. The Director of Legislative	Assistants of the House of	

Representatives and the Director of Legislative Assistants of the Senate shall assign clerical 1 2 support to the Task Force. 3 **SECTION 7.** Meetings of the Task Force shall begin no later than October 1, 2019. 4 The Task Force shall submit a final report on the results of its study and development, including 5 proposed legislation, to the General Assembly on or before April 1, 2020, by filing a copy of the 6 report with the Office of the President Pro Tempore of the Senate, the Office of the Speaker of 7 the House of Representatives, and the Legislative Library. The Task Force shall terminate on 8 April 1, 2020, or upon the filing of its final report, whichever comes first. 9 10 PART III. ADDRESS PARENTAL CONSENT AND THE DISPOSITION OF FETAL 11 REMAINS 12 **SECTION 8.(a)** Article 16 of Chapter 130A of the General Statutes is amended by 13 adding a new section to read: 14 "§ 130A-421. Parental consent to disposition of fetal remains. In every instance of unintended fetal death resulting from accidental injury, stillbirth, or 15 16 miscarriage, the attending physician or individual in charge of the institution where the fetal 17 remains were expelled or extracted shall obtain consent from the mother before the disposal of 18 the fetal remains and shall only dispose of the fetal remains by burial, cremation, or incineration 19 in accordance with applicable laws and regulations. If the mother is unable to give consent, and 20 the father is known and able to be contacted within seven days, the attending physician or 21 individual in charge of the institution where the fetal remains were expelled or extracted shall 22 obtain consent from the father and shall only dispose of the fetal remains by burial, cremation, 23 or incineration in accordance with applicable laws and regulations. If neither the mother nor the 24 father is able to give consent within seven days from the time the remains were expelled or 25 extracted, the fetal remains shall only be disposed of by burial, cremation, or incineration in 26 accordance with applicable laws and regulations. Burial or cremation shall be the only method of disposing of fetal remains that have developed beyond completion of the second trimester of 27 28 gestation." 29 **SECTION 8.(b)** This section becomes effective January 1, 2020, and applies to the 30 disposition of fetal remains on or after that date. 31 32 PART IV. AUTHORIZE ENGAGEMENT WITH THIRD-PARTY TOXICOLOGY 33 LABORATORIES TO GUIDE RESOURCES 34 SECTION 9. The Department of Health and Human Services, the Department of 35 Justice, local health departments as defined in G.S. 130A-2(5), and local law enforcement 36 agencies are authorized to engage third-party toxicology laboratories, capable of providing 37 clinical intelligence and data related to prescription and illicit drug usage trends and 38 developments, for the purpose of providing data to guide the delivery of drug treatment and law 39 enforcement resources. 40 41 **PART V. EFFECTIVE DATE SECTION 10.** Unless otherwise provided, this act is effective when it becomes law.

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