

**GENERAL ASSEMBLY OF NORTH CAROLINA**

**SESSION 2019**

**H**

**1**

**HOUSE BILL 622**

---

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

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

*For a complete list of sponsors, refer to the North Carolina General Assembly web site.*

---

Referred to: Judiciary, if favorable, Rules, Calendar, and Operations of the House

April 8, 2019

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 ACCCOMPANIED 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.



\* H 6 2 2 - V - 1 \*

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.