



# HOUSE BILL 622: Provide WC for PTSD in First Responders.

2019-2020 General Assembly

<b>Committee:</b>	House Rules, Calendar, and Operations of the House	<b>Date:</b>	May 1, 2019
<b>Introduced by:</b>	Reps. Grange, Saine, R. Turner, Dobson	<b>Prepared by:</b>	Brad Krehely
<b>Analysis of:</b>	PCS to First Edition H622-CSR-N-34		Committee Co-Counsel

**OVERVIEW:** *The Proposed Committee Substitute (PCS) for House Bill 622 provides that law enforcement officers, firefighters, and emergency management services personnel are entitled to workers' compensation benefits for mental or nervous injuries whether or not such injuries are accompanied by physical injuries under specified circumstances. The PCS provides that (i) posttraumatic stress disorder is as described in the Current Edition (was Fifth Edition) of the Diagnostic and Statistical Manual of Mental Disorders; (ii) the disorder must be diagnosed by and demonstrated by a licensed psychiatrist or licensed psychologist; and (iii) deleted former subsection (d) requiring that the time of notice of injury and death for compensable PTSD be filed within 52 weeks of diagnosis.*

**CURRENT LAW:** Disablement or death of an employee resulting from an occupational disease described in G.S. 97-53 shall be treated as the happening of an injury by accident within the meaning of the North Carolina Workers' Compensation Act. The compensation and other benefits provided by the act apply in all such cases except as hereinafter otherwise provided. G.S. 97-52. G.S. 97-53 lists the diseases and conditions which are occupational diseases under the Workers' Compensation Act.

**BILL ANALYSIS:** The PCS for House Bill 622 provides that the following provisions apply in determining eligibility of a first responder for workers' compensation benefits:

- The term "first responder" means a law enforcement officer, a firefighter, an emergency medical technician or paramedic employed by State or local government or a volunteer firefighter.
- Posttraumatic stress disorder suffered by a first responder without other injury is a compensable occupational disease that arises out of employment as a first responder and arises out of injuries 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 and (2) the first responder is examined and subsequently diagnosed with such disorder by a licensed psychiatrist or licensed psychologist who establishes within a reasonable degree of medical certainty that the posttraumatic stress disorder is a result of employment activities.
- The disorder must be demonstrated by a preponderance of medical evidence demonstrated by a licensed psychiatrist or licensed psychologist.
- An employing agency of a first responder, including volunteer first responders, must provide educational training related to mental health awareness, prevention, mitigation, and treatment.

**EFFECTIVE DATE:** The act becomes effective July 1, 2019.

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