GENERAL ASSEMBLY OF NORTH CAROLINA SESSION 2023

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HOUSE BILL 523

	Short Title:	First Responders Mental Health. (Publi	ic)				
	Sponsors:	Representatives Clampitt, White, Saine, and Reeder (Primary Sponsors). For a complete list of sponsors, refer to the North Carolina General Assembly web site.					
	Referred to:	Health, if favorable, Finance, if favorable, Rules, Calendar, and Operations of t House	he				
	March 30, 2023						
1 2 3 4 5	RESPON The General	A BILL TO BE ENTITLED ESTABLISHING A SUPPLEMENTAL INSURANCE POLICY FOR FIRS IDERS DIAGNOSED WITH MENTAL HEALTH CONDITIONS. Assembly of North Carolina enacts: ECTION 1. Chapter 58 of the General Statutes is amended by adding a new Artic					
6	to read:						
7		" <u>Article 86A.</u>					
8	118 EQ Q(A 1	"First Responders Mental Healthcare Plan Act.					
9 10	" <u>§ 58-86A-1.</u> Thia Arti		*0				
10	Plan Act."	cle shall be known and may be cited as the "First Responders Mental Healthca	re				
11		First responder mental health care benefits plan.					
12		sponder mental health care benefits plan is established and shall be administered b	ov				
14	the Department of Insurance. The plan shall be a supplemental insurance policy that provides						
15	benefits required under this Article to eligible first responders with a diagnosis of a mental						
16	-	lined in this Article. The program aims to promote healing and the return to service					
17	of first respon						
18		Definitions.					
19		wing definitions apply in this Article:					
20	(1		ry				
21		public safety answering point (PSAP) as defined in G.S. 143B-1400 or at an	<u>1y</u>				
22		public safety agency to which 911 calls are transferred from a primary PSA	<u>v</u> P				
23		as defined in G.S. 143B-1400 for dispatch of appropriate public safe	ty				
24		agencies.					
25	<u>(2</u>						
26		medically diagnosed as an anxiety disorder, conduct disorder, depressiv	ve				
27		disorder, obsessive-compulsive and related disorder, sleep-wake disorder,	or				
28		trauma and stressor-related disorder as described in the most recent edition	of				
29		the Diagnostic and Statistical Manual of Mental Disorders published by the	ne				
30		American Psychiatric Association.					
31	<u>(3</u>		<u> </u>				
32		defined in G.S. 131E-155 and includes the Director of EMS.					
33	<u>(4</u>		re				
34		inspectors, and fire marshals.					



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<u>(5)</u>	First responder A law enforcement officer, fire	fighter, 911 dispatcher,
	emergency medical technician employed by a Stat	
	detention officer employed by a local government, c	
	officer employed by the State, or a volunteer	·
	requirements of G.S. 58-84.5. Included in this defini	
	employed by nongovernmental entities.	<u>-</u>
<u>(6)</u>	Law enforcement officer. – As defined in G.S. 115	B-1 and includes police
<u>(0)</u>	dispatchers, police investigators, sheriff's deputie	-
	officers, detention officers, and jailers.	
" <u>§ 58-86A-4. El</u>	•	
	e to receive benefits, first responders shall meet all of the	he following:
(1)	Be currently employed as a first responder, regardles	
<u>, - /</u>	diagnosis.	
<u>(2)</u>	Be diagnosed by a healthcare provider, who establ	ishes with a reasonable
<u>(2)</u>	degree of medical certainty that the condition is t	
	incident or accumulative effect of employment-relate	
(3)	Have a diagnosed condition that resulted from the first	
<u>(5)</u>	the scope of his or her employment as a first respond	
Δ first respo	nder is not eligible to receive benefits under this Arti	
-	al condition under the North Carolina Workers' Compe	•
	enefits under mental health care plan.	<u>insution rict.</u>
	g benefits are available under the mental health care pla	an:
<u>(1)</u>	Medical costs reimbursement. – Eligible first re	
	reimbursement of up to five thousand dollars (\$5,00	-
	for any out-of-pocket medical expenses incurred,	
	copayments, or coinsurance costs, for an eligible me	
	of out-of-pocket expenses must be produced to re	
	benefit may not be used in conjunction with the disa	
	section.	donity benefit under uns
<u>(2)</u>	<u>Salary benefit. – If a first responder's treatment p</u>	lan requires leave from
<u>(2)</u>	employment as determined by a healthcare provider	-
	Medical Leave (FMLA) or a local government progr	
	is provided to the insurance carrier, the Department, of	-
	that this leave is necessary, a full-time first responder	
	benefit that is either (i) equal to seventy-five per	
	responder's monthly salary or (ii) five thousand do whichever is less. This benefit may only be used 12 w	
	period. This benefit may be used in conjunction	
		with the method costs
(2)	reimbursement benefit under this section.	
<u>(3)</u>	Disability benefit. – Upon sufficient proof to the	
	Department, or other applicable payor of (i) total disa	
	diagnosis of an eligible mental condition or (ii) t	-
	condition precludes the first responder from serving	
	following disability benefits shall be paid to a first	
	months after the total disability or inability to perfo	orm the duties of a first
	responder, whichever applies:	
	a. For a full-time first responder who is not a v	
	monthly benefit that is either (i) equal to sev	
	of the first responder's monthly salary or (i (\$5,000) a month, whichever is less.	1) five thousand dollars

 b. For a first responder who is a volunteer firefighter. – A monthly benefit of one thousand five hundred dollars (\$1,500). "§ 58-86A-6. Limitations on disability benefits. The following limitations apply to the disability benefits under this Article: Disability benefits shall continue for no more than 36 consecutive months. Any first responder receiving disability benefits may be required to have his or her condition reevaluated to determine if that first responder has regained the ability to perform the duties of a first responder. If reevaluation indicates the first responder has regained the ability to perform the duties of a first responder. If the month the reevaluation was conducted. If there is no reevaluation performed under subdivision (2) of this section, but the first responder's healthcare provider determines that the first responder is again able to perform the duties of a first responder, then the disability benefits shall cease on the last day of the month the healthcare provider made the determination. If a first responder returns to work as a first responder may receive under this section, and if there is a subsequent recurrence of disability caused by an eligible mental condition that again precludes the first responder from performing the duties of a first responder, then the first responder from performing the duties of a first responder, then the first responder from performing the duties of a first responder, then the first responder from performing the duties of a first responder, then the first responder from performing the duties of a first responder, then the first responder from performing the duties of a first responder, then the first responder from performing the duties of a first responder, then the first responder form performing the duties of a first responder, then the first responder form performing the duties of a first responder, then the first responder form performing the duties of a first responder. The secti	General Assemb	ly Of North Carolina	Session 2023				
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