

GENERAL ASSEMBLY OF NORTH CAROLINA
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HOUSE BILL DRH40306-LR-26A

Short Title: WC/Psych. Trauma-Related Injuries. (Public)

Sponsors: Representative White.

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT PROVIDING THAT LAW ENFORCEMENT OFFICERS, FIREFIGHTERS, 911
3 DISPATCHERS, AND EMERGENCY MANAGEMENT SERVICES PERSONNEL ARE
4 ENTITLED TO WORKERS' COMPENSATION BENEFITS FOR PSYCHOLOGICAL
5 TRAUMA WHETHER OR NOT SUCH INJURIES ARE ACCOMPANIED BY
6 PHYSICAL 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, a 911 dispatcher, or an emergency
18 medical technician or paramedic employed by State or local
19 government. The term also includes a volunteer firefighter meeting the
20 requirement of 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, Current 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 arises out of injuries that are characteristic of and
27 peculiar to a particular trade, occupation, process, or employment if (i)
28 the posttraumatic stress disorder resulted from the first responder
29 acting within the course of his or her employment and (ii) the first
30 responder is examined and subsequently diagnosed with such disorder
31 by a licensed psychiatrist or licensed psychologist who establishes
32 within a reasonable degree of medical certainty that the posttraumatic
33 stress disorder is a result of employment activities.

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



- 1 d. An employing agency of a first responder, including volunteer first
2 responders, must provide educational training related to mental health
3 awareness, prevention, mitigation, and treatment."

4 **SECTION 2.** This act becomes effective July 1, 2021.