

GENERAL ASSEMBLY OF NORTH CAROLINA
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SENATE BILL DRS35218-MGap-44

Short Title: Expand Occup. Cancer Benefits/Firefighters. (Public)

Sponsors: Senators Johnson and Perry (Primary Sponsors).

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT EXPANDING THE TYPES OF CANCERS DEEMED OCCUPATIONALLY
3 RELATED TO FIREFIGHTING FOR THE PURPOSE OF DETERMINING WHETHER A
4 FIREFIGHTER IS KILLED IN THE LINE OF DUTY AND A DEATH BENEFIT IS
5 PAYABLE; AND DIRECTING THE INDUSTRIAL COMMISSION TO ESTABLISH A
6 TRUST ACCOUNT FOR FIREFIGHTERS DIAGNOSED WITH AN
7 OCCUPATIONALLY RELATED CANCER TO COVER THE COST OF
8 CANCER-RELATED MEDICAL EXPENSES.

9 The General Assembly of North Carolina enacts:

10 **SECTION 1.(a)** G.S. 143-166.2(6)e. reads as rewritten:

11 "e. When the death of a firefighter occurs as a direct and proximate result
12 of any of the following cancers that are occupationally related to
13 firefighting, that firefighter is presumed to have been killed in the line
14 of duty:

- 15 1. Mesothelioma.
- 16 2. Testicular cancer.
- 17 3. Intestinal cancer.
- 18 4. Esophageal cancer.
- 19 5. Cancers of the respiratory system.
- 20 6. Cancers of the digestive system.
- 21 7. Cancers of the urinary system."

22 **SECTION 1.(b)** Subsection (a) of this section applies to eligible deaths occurring on
23 or after the effective date of this act.

24 **SECTION 2.(a)** Article 12A of Chapter 143 of the General Statutes is amended by
25 adding a new section to read:

26 "**§ 143-166.3A. Trust for firefighters diagnosed with an occupationally related cancer.**

27 (a) The Industrial Commission shall establish a twenty-five thousand dollar (\$25,000)
28 trust account in the name of any firefighter diagnosed with any cancer listed in
29 G.S. 143-166.2(6)e. who meets the following criteria at the time of diagnosis:

- 30 (1) Has been employed as a firefighter for five consecutive years.
- 31 (2) Was not employed within the preceding five years in an unrelated position
32 that is scientifically linked to a higher rate of cancer.
- 33 (3) Does not have a history of smoking tobacco products.

34 (b) The trust account established in subsection (a) of this section shall not be used for any
35 purpose other than to pay for medical expenses associated with the treatment of the firefighter's
36 occupationally related cancer."



- 1 **SECTION 2.(b)** Subsection (a) of this section applies to eligible diagnoses of cancer
2 occurring on or after the effective date of this act.
3 **SECTION 3.** This act becomes effective July 1, 2021.