

By: Senator(s) Carter

To: Insurance;
Appropriations

SENATE BILL NO. 2404

1 AN ACT TO AMEND SECTION 25-15-405, MISSISSIPPI CODE OF 1972,
2 TO PROVIDE THAT CANCER BENEFITS UNDER THE "MISSISSIPPI FIRST
3 RESPONDERS HEALTH AND SAFETY ACT" SHALL BE APPLICABLE TO ACTIVE
4 FIRST RESPONDERS AND CERTAIN RETIRED FIRST RESPONDERS; AND FOR
5 RELATED PURPOSES.

6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

7 **SECTION 1.** Section 25-15-405, Mississippi Code of 1972, is
8 amended as follows:

9 25-15-405. (1) As an alternative to pursuing workers'
10 compensation benefits, upon a diagnosis of cancer, a first
11 responder is entitled to the following benefits:

12 (a) Provided the diagnosis occurs on or after the first
13 responder's effective date of coverage, a lump-sum benefit of
14 Thirty-five Thousand Dollars (\$35,000.00) of coverage for each
15 diagnosis payable to the first responder upon acceptable proof to
16 the insurance carrier or other payor of a diagnosis by a
17 board-certified physician in the medical specialty appropriate for
18 the type of cancer diagnosed * * * that there are one or more
19 malignant tumors characterized by the uncontrollable and abnormal



20 growth and spread of malignant cells with invasion of normal
21 tissue and that either:

22 (i) There is metastasis, and surgery, radiotherapy
23 or chemotherapy is medically necessary;

24 (ii) There is a tumor of the prostate, provided
25 that it is treated with radical prostatectomy or external beam
26 therapy; or

27 (iii) The first responder has terminal cancer, his
28 or her life expectancy is twenty-four (24) months or less from the
29 date of diagnosis, and will not benefit from, or has exhausted,
30 curative therapy.

31 (b) Provided the diagnosis occurs on or after the first
32 responder's effective date of coverage, a lump-sum benefit of Six
33 Thousand Two Hundred Fifty Dollars (\$6,250.00) for each diagnosis
34 payable to the first responder upon acceptable proof to the
35 insurance carrier or other payor of a diagnosis by a
36 board-certified physician in the medical specialty appropriate for
37 the type of cancer involved that:

38 (i) There is carcinoma in situ such that surgery,
39 radiotherapy or chemotherapy has been determined to be medically
40 necessary;

41 (ii) There are malignant tumors which are treated
42 by endoscopic procedures alone; or

43 (iii) There are malignant melanomas.



44 (c) The combined total of benefits received by any
45 first responder under paragraphs (a) and (b) of this subsection
46 (1) during his or her lifetime shall not exceed Fifty Thousand
47 Dollars (\$50,000.00).

48 (d) Provided the date of disability occurs on or after
49 the first responder's effective date of coverage, a disability
50 benefit payable as a result of a specific cancer to begin six (6)
51 months after the date of disability and submission to the
52 insurance carrier or other payor of acceptable proof of disability
53 caused by the specified disease or events such that the illness
54 precludes the first responder from serving as a first responder:

55 (i) For nonvolunteer first responders, a monthly
56 benefit equal to sixty percent (60%) of the first responder's
57 monthly salary as an employed first responder with a fire or
58 police department or a monthly benefit of Five Thousand Dollars
59 (\$5,000.00), whichever is less, of which the first payment shall
60 be made six (6) months after the total disability and shall
61 continue for thirty-six (36) consecutive monthly payments unless
62 the first responder regains the ability to perform his or her
63 duties as determined by reevaluation under subparagraph (iv) of
64 this paragraph, at which time the payments shall cease the last
65 day of the month of reevaluation;

66 (ii) For volunteer firefighters, a monthly benefit
67 of One Thousand Five Hundred Dollars (\$1,500.00) of which the
68 first payment shall be made six (6) months after the total



69 disability and shall continue for thirty-six (36) consecutive
70 monthly payments unless the first responder regains the ability to
71 perform his or her duties as determined by reevaluation under
72 subparagraph (iv) of this paragraph, at which time the payments
73 shall cease the last day of the month of reevaluation;

74 (iii) Such monthly benefit shall be subordinate to
75 any other benefit actually paid to the first responder solely for
76 such disability from any other source, not including private
77 insurance purchased solely by the first responder;

78 (iv) Any first responder receiving the monthly
79 benefits may be required to have his or her condition reevaluated.
80 In the event any such reevaluation reveals that such person has
81 regained the ability to perform duties as a first responder, then
82 his or her monthly benefits shall cease the last day of the month
83 of reevaluation; and

84 (v) In the event that there is a subsequent
85 recurrence of a disability caused by a specified cancer, which
86 precludes the first responder from serving as a first responder,
87 he or she shall be entitled to receive any remaining monthly
88 payments.

89 (e) An eligible first responder who dies as a result of
90 a compensable type of cancer, or circumstances arising out of the
91 treatment of a compensable type of cancer, but does not submit
92 sufficient proof of claim prior to the first responder's death, is
93 entitled to receive benefits specified in paragraphs (a) and (b)



of this subsection (1) and made available to the deceased first responder's beneficiary or beneficiaries.

(f) Any first responder who was simultaneously a member of more than one (1) fire or police department at the time of diagnosis shall not be entitled to receive benefits from or on behalf of more than one (1) fire or police department. The first responder's primary place of employment shall maintain coverage for the eligible first responder; * * *

(g) An otherwise eligible first responder shall be precluded from the benefits listed under this section if he or she has filed for workers' compensation for the same diagnosis of cancer * * *; and

(h) An active first responder and a first responder who retired on July 1, 2020, through July 1, 2025, shall be entitled to cancer coverage benefits under this section. In addition, any first responder who retired after July 1, 2025, shall be entitled to cancer coverage benefits under this section for up to five (5) years following the first responder's retirement. Retired first responders shall not be entitled to disability benefits under subsection (1)(d) of this section.

SECTION 2. This act shall take effect and be in force from and after its passage.

