

By: Representative Ford (54th)

To: Ways and Means

HOUSE BILL NO. 236

1 AN ACT TO CREATE THE "HELPING HEROES ACT" TO PROVIDE SUPPORT
 2 TO ANY LAW ENFORCEMENT OFFICER, FIREFIGHTER OR PUBLIC EMS
 3 PERSONNEL WHO IS DIAGNOSED WITH PTSD BY A MENTAL HEALTH
 4 PROFESSIONAL DURING HIS OR HER NORMAL COURSE OF DUTY; TO PROVIDE
 5 DEFINITIONS; TO PROVIDE THAT AS AN ALTERNATIVE TO PURSUING
 6 WORKERS' COMPENSATION BENEFITS, UPON A DIAGNOSIS OF PTSD, A FIRST
 7 RESPONDER OR PUBLIC EMS PERSONNEL SHALL BE ENTITLED TO
 8 REIMBURSEMENT FOR PAID MENTAL HEALTH SERVICES AND UP TO THIRTY
 9 DAYS OF PAID TIME OFF; TO PROVIDE THAT THE TREATMENT AND PAID TIME
 10 OFF FOR EACH ELIGIBLE FIRST RESPONDER OR PUBLIC EMS PERSONNEL
 11 SHALL NOT EXCEED \$7,500.00 PER PERSON ANNUALLY; TO PROVIDE THAT
 12 THE TREATMENT AND PAID TIME OFF SHALL BE PAID THROUGH THE
 13 INSURANCE PREMIUM TAX REVENUE COLLECTED BY THE DEPARTMENT OF
 14 REVENUE; TO CREATE A SPECIAL FUND IN THE STATE TREASURY TO BE
 15 KNOWN AS THE "HELPING HEROES ACT FUND"; TO PROVIDE THE REPORTING
 16 REQUIREMENTS OF THE FUND; AND FOR RELATED PURPOSES.

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

18 **SECTION 1.** The provisions of this act shall be known and may
 19 be cited as the "Helping Heroes Act".

20 **SECTION 2.** (1) For the purposes of this section, the
 21 following words and phrases shall have the meanings as defined
 22 herein unless the context clearly indicates otherwise:

23 (a) "Post-Traumatic Stress Disorder (PTSD)" shall have
 24 the same definition as the definition provided by the National
 25 Institute of Mental Health and is caused by an event or events



26 occurring in the course and scope of the first responders and
27 public emergency medical services (EMS) personnel official duty
28 employment.

29 (b) "Law enforcement officer" means any officer who has
30 been certified by the Mississippi Board on Law Enforcement Officer
31 Standards and Training and has ten (10) or more years of service.

32 (c) "Firefighter" means any firefighter who has ten
33 (10) or more years of service and is employed by the State of
34 Mississippi, or any political subdivision thereof, on a full-time
35 duty status, and any firefighter who has ten (10) or more years of
36 service and is registered with the State of Mississippi, or a
37 political subdivision thereof, on a volunteer firefighting status.

38 (d) "Public EMS personnel" means a licensed certified
39 paramedic, emergency medical technician or emergency medical
40 responder who is employed by the State of Mississippi or a
41 political subdivision of the state on a full-time basis.

42 (e) "First responder" means any firefighter and law
43 enforcement officer as defined in paragraphs (b) and (c) of this
44 subsection.

45 (2) Any law enforcement officer, firefighter or public EMS
46 personnel who is diagnosed with PTSD by a mental health
47 professional during his or her normal course of duty shall be
48 presumed to have a disease or infirmity connected to work-related
49 service as a first responder. A licensed mental health
50 professional that may be used to diagnose and treat PTSD shall



51 include a clinical social worker, licensed professional mental
52 health counselor, psychologist, psychiatric nurse, nurse
53 practitioner and psychiatrist. The mental health professionals
54 that may be used to diagnose and treat PTSD may have different
55 training, credentials or licenses.

56 (3) As an alternative to pursuing workers' compensation
57 benefits, upon a diagnosis of PTSD, a first responder or public
58 EMS personnel shall be entitled to the following benefits:

59 (a) Reimbursement for paid mental health services; and

60 (b) Up to thirty (30) days of paid time off provided
61 the date of disability occurs on or after the first responder's
62 effective date of coverage, a disability benefit payable as a
63 result of the PTSD.

64 (4) (a) The treatment and paid time off authorized under
65 subsection (3) for each eligible first responder or public EMS
66 personnel shall not exceed Seven Thousand Five Hundred Dollars
67 (\$7,500.00) per person annually.

68 (b) Beginning with fiscal year 2025, the Department of
69 Revenue shall annually deposit from insurance premium tax revenue
70 collected by it under the provisions of Section 27-15-103 et seq.
71 an amount of Two Hundred Thousand Dollars (\$200,000.00) for each
72 fiscal year into the special fund created in Section 3 of this
73 act.



74 (5) A PTSD diagnosis that arises solely from a legitimate
75 personnel action such as a transfer, promotion, demotion or
76 termination shall not be a compensable injury.

77 (6) Nothing in this section shall modify the qualifications
78 necessary to establish eligibility to receive benefits or the
79 calculation of benefits to be paid under Public Employment
80 Retirement System (PERS).

81 **SECTION 3.** (1) There is created in the State Treasury a
82 special fund to be known as the "Helping Heroes Act Fund." The
83 fund shall consist of monies deposited therein as provided under
84 Section 2 of this act, monies appropriated by act of the
85 Legislature and monies from any other source designated for
86 deposit into such fund. Unexpended amounts remaining in the fund
87 at the end of a fiscal year shall not lapse into the State General
88 Fund, and any interest earned or investment earnings on amounts in
89 the fund shall be deposited to the credit of the fund.

90 (2) The Commissioner of Insurance shall file an annual
91 report with the Governor, the Lieutenant Governor, the Speaker of
92 the House of Representatives, the Chair of the House Insurance
93 Committee and the Chair of the Senate Insurance Committee. The
94 report shall contain a detailed explanation of how the funds have
95 been used to help first responders and public EMS personnel who
96 have been diagnosed with PTSD, how many first responders and
97 public EMS personnel have been helped, and whether more funds are
98 needed.



99 **SECTION 4.** This act shall take effect and be in force from
100 and after July 1, 2024.

