

2 any payment to participate in the Fund.

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4 **PILOT PROGRAM ESTABLISHING SUPPLEMENTAL INSURANCE POLICY FOR**  
5 **FIREFIGHTERS DIAGNOSED WITH CANCER**

6 **SECTION 30.4.(a)** Firefighters' Health Benefits Pilot Program. – The Department  
7 of Insurance shall establish and administer a pilot program to provide health benefits as  
8 authorized by this section to eligible firefighters with a new diagnosis of cancer on or after  
9 January 1, 2022. The health benefits provided under the pilot program shall be supplemental to  
10 any other health benefits authorized by law for firefighters. The pilot program shall end on June  
11 30, 2023, but claims for health benefits filed by that date shall be paid as long as funds  
12 appropriated for the pilot program are available.

13 **SECTION 30.4.(b)** Definitions. – The following definitions apply in this section:

- 14 (1) Cancer. – Malignant neoplasms of the body that may be caused by exposure  
15 to heat, radiation, or a known carcinogen, as defined by the World Health  
16 Organization's International Agency for Research on Cancer.  
17 (2) Eligible firefighter. – A firefighter who meets the requirements of subsection  
18 (c) of this section.  
19 (3) Fire Department. – Any organization that is not a federal agency, including  
20 any public or government-sponsored organization, that is located and based in  
21 this State and provides rescue, fire suppression, and related activities.  
22 (4) Firefighter. – As defined in G.S. 58-84-5.

23 **SECTION 30.4.(c)** Eligibility. – To be eligible to receive benefits under the pilot  
24 program, a firefighter:

- 25 (1) Must have served in a North Carolina fire department for a minimum of five  
26 continuous years.  
27 (2) Must have received a new diagnosis of cancer on or after January 1, 2022. A  
28 firefighter with a diagnosis of cancer prior to January 1, 2022, is not eligible  
29 for benefits in the pilot program for that previously diagnosed cancer type but  
30 remains eligible for benefits in the pilot program upon diagnosis of any other  
31 cancer type. A firefighter is not eligible to receive benefits under the pilot  
32 program if the firefighter is receiving benefits related to cancer under Article  
33 1 of Chapter 97 of the General Statutes, the North Carolina Workers'  
34 Compensation Act.  
35 (3) Must have filed a claim with the Department seeking benefits under this  
36 section no later than June 30, 2023.

37 **SECTION 30.4.(d)** Benefits under pilot program. – To the extent that funds are  
38 available, the following benefits shall be provided under the pilot program:

- 39 (1) Medical Costs Reimbursement. – An eligible firefighter shall receive  
40 reimbursement of up to twelve thousand dollars (\$12,000) for any  
41 out-of-pocket medical expenses incurred, including deductibles, copayments,  
42 or coinsurance costs, for each diagnosis of cancer.  
43 (2) Lump Sum Benefit. – Not to exceed a total of fifty thousand dollars (\$50,000),  
44 a lump sum benefit of twenty-five thousand dollars (\$25,000) for each  
45 diagnosis of cancer shall be payable to an eligible firefighter upon sufficient  
46 proof to the insurance carrier, the Department, or other applicable payor of a  
47 diagnosis of cancer by a board-certified, licensed physician in the medical  
48 specialty appropriate for the type of cancer diagnosed.  
49 (3) Disability Benefit. – Upon sufficient proof to the insurance carrier, the  
50 Department, or other applicable payor of total disability resulting from the  
51 diagnosis of cancer or that the cancer precludes the firefighter from serving as

- 1 a firefighter, the following disability benefits shall be paid to an eligible  
2 firefighter beginning six months after the total disability or inability to  
3 perform the duties of a firefighter, whichever applies:
- 4 a. For a nonvolunteer firefighter. – A monthly benefit that is either (i)  
5 equal to seventy-five percent (75%) of the firefighter's monthly salary  
6 or (ii) five thousand dollars (\$5,000), whichever is less.
- 7 b. For a volunteer firefighter. – A monthly benefit of one thousand five  
8 hundred dollars (\$1,500).
- 9 **SECTION 30.4.(e)** Limitations on disability benefit. – The following limitations  
10 apply to disability benefits under this section:
- 11 (1) Disability benefits shall continue for no more than 36 consecutive months;  
12 provided, however, disability benefits shall continue only until funds  
13 appropriated for the pilot program are available. Upon the expenditure of all  
14 funds appropriated for the pilot program, all disability payments under the  
15 pilot program shall terminate and the Department shall have no other  
16 responsibility to provide benefits under the pilot program.
- 17 (2) Any firefighter receiving disability benefits may be required to have his or her  
18 condition reevaluated to determine if that firefighter has regained the ability  
19 to perform the duties of a firefighter. If that reevaluation indicates that the  
20 firefighter has regained the ability to perform the duties of a firefighter, then  
21 the monthly disability benefits shall cease on the last day of the month the  
22 reevaluation was conducted.
- 23 (3) If there is no reevaluation performed under subdivision (2) of this subsection,  
24 but the firefighter's treating physician determines that the firefighter is again  
25 able to perform the duties of a firefighter, then the disability benefits shall  
26 cease on the last day of the month that the physician made the determination.
- 27 (4) If a firefighter returns to work as a firefighter before exhaustion of the 36  
28 months of disability benefit an eligible firefighter may receive under this  
29 section, and if there is a subsequent recurrence of disability caused by cancer  
30 that again precludes the firefighter from performing the duties of a firefighter,  
31 then the firefighter shall be entitled to any remaining monthly disability  
32 benefits, not to exceed 36 months in total, as long as funds are available under  
33 the pilot program.
- 34 (5) The monthly disability benefit shall be subordinate to any other benefit paid  
35 from any source to the firefighter solely for a disability related to the cancer  
36 diagnosis, so long as that source is not private insurance purchased solely by  
37 the firefighter. Disability benefits under this section shall be limited to the  
38 difference between the benefit amount paid by the other source and the  
39 amounts specified under subdivision (3) of subsection (d) of this section.
- 40 **SECTION 30.4.(f)** Reporting requirements. – On January 1, 2023 and July 1, 2023,  
41 the Department shall submit a report to the General Assembly and to the Governor that includes  
42 the following information:
- 43 (1) The number, type, and primary work location of all firefighters participating  
44 in the pilot program.
- 45 (2) The number of benefit claims filed.
- 46 (3) The types of cancer for which benefit claims were filed.
- 47 (4) All benefits paid out under this section.
- 48 **SECTION 30.4.(g)** This section becomes effective January 1, 2022.
- 49 **SECTION 30.4.(h)** No later than January 1, 2022, the Department of Insurance shall  
50 show proof of insurance coverage that meets the requirements of this section for all firefighters  
51 included on the Certified Roster submitted to the North Carolina State Firefighters' Association.