**South Carolina General Assembly**

123rd Session, 2019-2020

**A168, R165, S1071**

**STATUS INFORMATION**

General Bill

Sponsors: Senators Alexander, Talley, Grooms, Martin, Young, Peeler, Senn, Cash, Gambrell, Reese, Goldfinch, Fanning and Johnson

Document Path: l:\council\bills\nbd\11346dg20.docx

Companion/Similar bill(s): 5139

Introduced in the Senate on February 4, 2020

Introduced in the House on June 24, 2020

Last Amended on September 22, 2020

Passed by the General Assembly on September 23, 2020

Governor's Action: September 28, 2020, Signed

Summary: Firefighter Cancer Health Care Benefit Plan

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

2/4/2020 Senate Introduced and read first time ([Senate Journal‑page 3](file:///h:\sj\20200204.docx))

2/4/2020 Senate Referred to Committee on **Banking and Insurance** ([Senate Journal‑page 3](file:///h:\sj\20200204.docx))

3/12/2020 Senate Committee report: Favorable with amendment **Banking and Insurance** ([Senate Journal‑page 8](file:///h:\sj\20200312.docx))

5/12/2020 Senate Committee Amendment Adopted ([Senate Journal‑page 60](file:///h:\sj\20200512.docx))

5/12/2020 Senate Read second time ([Senate Journal‑page 60](file:///h:\sj\20200512.docx))

5/12/2020 Senate Roll call Ayes‑37 Nays‑0 ([Senate Journal‑page 60](file:///h:\sj\20200512.docx))

5/12/2020 Senate Unanimous consent for third reading on next legislative day ([Senate Journal‑page 60](file:///h:\sj\20200512.docx))

5/13/2020 Senate Read third time and sent to House ([Senate Journal‑page 9](file:///h:\sj\20200513.docx))

6/24/2020 House Introduced and read first time ([House Journal‑page 32](file:///h:\hj\20200624.docx))

6/24/2020 House Referred to Committee on **Labor, Commerce and Industry** ([House Journal‑page 32](file:///h:\hj\20200624.docx))

9/15/2020 House Committee report: Favorable with amendment **Labor, Commerce and Industry** ([House Journal‑page 66](file:///h:\hj\20200915.docx))

9/22/2020 House Amended ([House Journal‑page 52](file:///h:\hj\20200922.docx))

9/22/2020 House Requests for debate‑Rep(s).  Hill ([House Journal‑page 52](file:///h:\hj\20200922.docx))

9/22/2020 House Read second time ([House Journal‑page 52](file:///h:\hj\20200922.docx))

9/22/2020 House Roll call Yeas‑108 Nays‑1 ([House Journal‑page 52](file:///h:\hj\20200922.docx))

9/23/2020 Scrivener's error corrected

9/23/2020 House Read third time and returned to Senate with amendments ([House Journal‑page 7](file:///h:\hj\20200923.docx))

9/23/2020 Senate Concurred in House amendment and enrolled ([Senate Journal‑page 133](file:///h:\sj\20200923.docx))

9/23/2020 Senate Roll call Ayes‑39 Nays‑0 ([Senate Journal‑page 133](file:///h:\sj\20200923.docx))

9/25/2020 Ratified R 165

9/28/2020 Signed By Governor

10/7/2020 Effective date 07/01/21

10/7/2020 Act No.  168

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**VERSIONS OF THIS BILL**

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[3/12/2020](file:///p:\pprever\2019-20\1071_20200312.docx)

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[9/23/2020](file:///p:\pprever\2019-20\1071_20200923.docx)

(A168, R165, S1071)

**AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 23‑9‑197 SO AS TO ESTABLISH THE “FIREFIGHTER CANCER HEALTH CARE BENEFIT PLAN” TO PROVIDE A SUPPLEMENTAL INSURANCE POLICY UPON A FIREFIGHTER BEING DIAGNOSED WITH CANCER AND TO SET FORTH THE BENEFITS CONTAINED IN THE POLICY.**

Be it enacted by the General Assembly of the State of South Carolina:

**Firefighter Cancer Health Care Benefit Plan**

SECTION 1. Article 1, Chapter 9, Title 23 of the 1976 Code is amended by adding:

“Section 23‑9‑197. (A) As used in this section:

(1) ‘Cancer’ includes malignant neoplasms of the following body areas and organ systems:

(a) central and peripheral nervous system;

(b) oropharyngeal;

(c) respiratory tract;

(d) gastrointestinal tract;

(e) hepatobiliary;

(f) solid organ and endocrine;

(g) genitourinary and male reproductive;

(h) GYN;

(i) skin, soft tissue, and breast; and

(j) bone and blood.

(2) ‘Fire department’ means any organization located and based in this State that provides rescue, fire suppression, and related activities including any public or government‑sponsored organizations, excluding federal agencies, engaged in rescue, fire suppression, and related activities.

(3) ‘Firefighter’ means any person, paid or unpaid, who is a resident of this State and engages in rescue, fire suppression, or related activities, under the supervision of a fire chief or fire department in this State or who is employed by the State Commission of Forestry or a forestry district for the purpose of fire protection.

(B) There is established the ‘Firefighter Cancer Health Care Benefit Plan’ to provide a supplemental insurance policy upon a firefighter being diagnosed with cancer. The plan shall provide benefits to a firefighter only if the firefighter has served in a South Carolina fire department for at least five continuous years and been in active service within ten years of the diagnosis.

(C) The plan, upon diagnosis, must entitle an eligible firefighter to:

(1) a reimbursement of up to twelve thousand dollars annually to the firefighter for any out-of-pocket medical expenses including deductibles, copayments, or coinsurance costs incurred;

(2) a one‑time benefit of twenty thousand dollars upon the firefighter’s initial diagnosis; and

(3) a seventy‑five thousand dollar death benefit for a firefighter who dies as a result of cancer or circumstances that arise out of the treatment of cancer. All of the benefits arising out of such death are available to the deceased firefighter’s beneficiary.

(D)(1) The program must be established by and administered through the Office of the State Fire Marshal within the Department of Labor, Licensing and Regulation. In selecting the covering insurance policy, the State Fire Marshal must utilize a competitive bidding process amongst private insurers that have such policies available.

(2) Additionally, the State Fire Marshal shall identify best practices to establish employer cancer prevention as it relates to personal protective equipment, decontamination, fire suppression apparatus, and fire stations.

(3) By January first of each year, the State Fire Marshal shall prepare a report detailing the activity of the program in the previous fiscal year. The report shall include, but not be limited to: all expenses and costs associated with administration of the program, all inquiries and quotes received from prospective insurers, the number of eligible firefighters who qualify for coverage, the number of claims, and the amount and type of benefits paid. The report must be delivered to the Department of Insurance, the Senate Finance Committee, and the House Ways and Means Committee.

(E) Notwithstanding any other provision of this section, the implementation and operation of the Firefighter Cancer Health Care Benefit Plan and the benefits contained herein are contingent upon appropriate funding.”

**Time effective**

SECTION 2. This act takes effect July 1, 2021.

Ratified the 25th day of September, 2020.

Approved the 28th day of September, 2020.

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