AMENDED

September 22, 2020

**S. 1071**

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

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Read the first time June 24, 2020.

**A** **BILL**

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; AND TO AMEND SECTIONS 38‑7‑30 AND 38‑7‑35, RELATING TO THE TAX ON FIRE INSURERS AND THE EXPENDITURE OF THE TAX, SO AS TO FUND THE PLAN.

Amend Title To Conform

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

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;

(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 Marshall 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.”

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

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