

# HOUSE BILL No. 1080

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 5-10-10.

**Synopsis:** EMS provider death benefit. Provides a public safety officer special death benefit to an emergency medical services provider who, after June 30, 2015, dies as a direct result of personal injury or illness resulting from the provider's performance of duties: (1) under a contract entered into by the provider's employer to provide emergency medical services for a political subdivision; or (2) as an employee of an advanced critical care emergency transport service maintained by a health care system affiliated with a state educational institution, if the provider's employer purchases coverage.

**Effective:** July 1, 2015.

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January 6, 2015, read first time and referred to Committee on Veterans Affairs and Public Safety.

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First Regular Session of the 119th General Assembly (2015)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2014 Regular Session and 2014 Second Regular Technical Session of the General Assembly.

# HOUSE BILL No. 1080



A BILL FOR AN ACT to amend the Indiana Code concerning public employee benefits.

*Be it enacted by the General Assembly of the State of Indiana:*

1 SECTION 1. IC 5-10-10-2 IS AMENDED TO READ AS  
2 FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 2. **(a) Except as**  
3 **provided in subsection (b)**, as used in this chapter, "dies in the line of  
4 duty" refers to a death that occurs as a direct result of personal injury  
5 or illness resulting from any action that the public safety officer, in the  
6 public safety officer's capacity as a public safety officer, is obligated or  
7 authorized by rule, regulation, condition of employment or service, or  
8 law to perform in the course of controlling or reducing crime or  
9 enforcing the criminal law. For purposes of a public safety officer who  
10 is an employee (as defined in IC 5-10-13-2), the term includes a death  
11 presumed incurred in the line of duty under IC 5-10-13.  
12 **(b) This subsection applies to a public safety officer who is**  
13 **eligible for a special death benefit under section 4.8 or 4.9 of this**  
14 **chapter. "Dies in the line of duty" refers to a death that occurs as**  
15 **a direct result of personal injury or illness caused by an incident,**



1 **accident, or violence that results from any action that the public**  
 2 **safety officer, in the public safety officer's capacity as a public**  
 3 **safety officer:**

- 4 **(1) is obligated or authorized by rule, regulation, condition of**  
 5 **employment or service, or law to perform; or**  
 6 **(2) performs during an emergency run.**

7 SECTION 2. IC 5-10-10-4, AS AMENDED BY P.L.158-2013,  
 8 SECTION 78, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 9 JULY 1, 2015]: Sec. 4. As used in this chapter, "public safety officer"  
 10 means any of the following:

- 11 (1) A state police officer.  
 12 (2) A county sheriff.  
 13 (3) A county police officer.  
 14 (4) A correctional officer.  
 15 (5) An excise police officer.  
 16 (6) A county police reserve officer.  
 17 (7) A city police reserve officer.  
 18 (8) A conservation enforcement officer.  
 19 (9) A town marshal.  
 20 (10) A deputy town marshal.  
 21 (11) A probation officer.  
 22 (12) A state educational institution police officer appointed under  
 23 IC 21-39-4.  
 24 (13) A police officer whose employer purchases coverage under  
 25 section 4.5 of this chapter.  
 26 (14) An emergency medical services provider (as defined in  
 27 IC 16-41-10-1) who is:  
 28 (A) employed by a political subdivision (as defined in  
 29 IC 36-1-2-13); and  
 30 (B) not eligible for a special death benefit under IC 36-8-6-20,  
 31 IC 36-8-7-26, IC 36-8-7.5-22, or IC 36-8-8-20.  
 32 (15) A firefighter who is employed by the fire department of a  
 33 state university.  
 34 (16) A firefighter whose employer purchases coverage under  
 35 section 4.5 of this chapter.  
 36 (17) A member of a consolidated law enforcement department  
 37 established under IC 36-3-1-5.1.  
 38 (18) A gaming agent of the Indiana gaming commission.  
 39 (19) A person who is:  
 40 (A) employed by a political subdivision (as defined in  
 41 IC 36-1-2-13); and  
 42 (B) appointed as a special deputy under IC 36-8-10-10.6.



- 1 (20) A school corporation police officer appointed under  
 2 IC 20-26-16.  
 3 (21) A gaming control officer of the Indiana gaming commission.  
 4 (22) An eligible chaplain who meets the requirements of section  
 5 4.7 of this chapter.  
 6 (23) A community corrections officer.  
 7 **(24) An eligible emergency medical services provider who**  
 8 **meets the requirements of section 4.8 of this chapter.**  
 9 **(25) An emergency medical services provider whose employer**  
 10 **purchases coverage under section 4.9 of this chapter.**

11 SECTION 3. IC 5-10-10-4.8 IS ADDED TO THE INDIANA CODE  
 12 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
 13 1, 2015]: **Sec. 4.8. (a) As used in this section, "eligible emergency**  
 14 **medical services provider" means an emergency medical services**  
 15 **provider who is employed by a person that has contracted with a**  
 16 **political subdivision to provide emergency medical services for the**  
 17 **political subdivision.**

18 (b) As used in this section, "emergency medical services" has the  
 19 meaning set forth in IC 16-49-1-5.

20 (c) As used in this section, "emergency medical services  
 21 provider" has the meaning set forth in IC 16-41-10-1.

22 (d) As used in this section, "political subdivision" has the  
 23 meaning set forth in IC 36-1-2-13.

24 (e) An eligible emergency medical services provider who dies as  
 25 a direct result of personal injury or illness resulting from the  
 26 eligible emergency medical services provider's performance of  
 27 duties under a contract entered into by the emergency medical  
 28 services provider's employer to provide emergency medical  
 29 services for a political subdivision is eligible for a special death  
 30 benefit from the fund in the same manner as any other public  
 31 safety officer is eligible for a benefit from the fund.

32 SECTION 4. IC 5-10-10-4.9 IS ADDED TO THE INDIANA CODE  
 33 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
 34 1, 2015]: **Sec. 4.9. (a) As used in this section, "eligible emergency**  
 35 **medical services provider" means an emergency medical services**  
 36 **provider whose employer purchases coverage under this section.**

37 (b) As used in this section, "emergency medical services  
 38 provider" has the meaning set forth in IC 16-41-10-1.

39 (c) As used in this section, "employer" means a health care  
 40 system affiliated with a state educational institution that:

- 41 (1) maintains an advanced critical care emergency transport  
 42 service; and



1           **(2) employs emergency medical services providers for the**  
2           **advanced critical care emergency transport service.**

3           **(d) If an employer purchases coverage for an eligible emergency**  
4           **medical services provider, the eligible emergency medical services**  
5           **provider is eligible for a special death benefit from the fund in the**  
6           **same manner that any other public safety officer is eligible for a**  
7           **special death benefit from the fund. The cost of the coverage shall**  
8           **be fifty dollars (\$50) for each eligible emergency medical services**  
9           **provider annually. The cost of the coverage shall be paid to the**  
10          **board for deposit into the fund.**

11          **(e) If an employer elects to provide coverage under this section,**  
12          **the employer must purchase coverage for all eligible emergency**  
13          **medical services providers of the employer. The board shall allow**  
14          **an employer to purchase coverage by making quarterly payments**  
15          **on dates prescribed by the board.**

