

PROPOSED AMENDMENT

HB 1001 # 16

DIGEST

Mental health care for first responders. Establishes the Indiana first responders mental health wellness fund and program (fund and program). Provides that the division of mental health and addiction of the office of the secretary of family and social services (division) shall administer the fund and program. Provides that a first responder who meets certain requirements may apply to the division for: (1) costs associated with the first responder's active participation in a mental health treatment plan as determined by a psychologist or physician treating the first responder; and (2) compensation if the first responder is unable to work. Establishes requirements for obtaining compensation. Makes a continuous appropriation.

- 1 Page 110, between lines 32 and 33 begin a new paragraph and
2 insert:
- 3 "SECTION 1. IC 12-7-2-51.3 IS ADDED TO THE INDIANA
4 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
5 [EFFECTIVE JULY 1, 2025]: **Sec. 51.3. "Critical incident", for**
6 **purposes of IC 12-21-10, has the meaning set forth in**
7 **IC 12-21-10-1.**
- 8 SECTION 2. IC 12-7-2-73.8 IS ADDED TO THE INDIANA CODE
9 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
10 1, 2025]: **Sec. 73.8. "DSM", for purposes of IC 12-21-10, has the**
11 **meaning set forth in IC 12-21-10-2.**
- 12 SECTION 3. IC 12-7-2-91, AS AMENDED BY P.L.152-2024,
13 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
14 JULY 1, 2025]: Sec. 91. "Fund" means the following:
- 15 (1) For purposes of IC 12-12-1-9, the fund described in
16 IC 12-12-1-9.
- 17 (2) For purposes of IC 12-15-20, the meaning set forth in
18 IC 12-15-20-1.
- 19 (3) For purposes of IC 12-17-12, the meaning set forth in
20 IC 12-17-12-4.
- 21 (4) For purposes of IC 12-17.2-7.2, the meaning set forth in
22 IC 12-17.2-7.2-4.7.
- 23 (5) For purposes of IC 12-17.6, the meaning set forth in

1 IC 12-17.6-1-3.

2 (6) For purposes of IC 12-21-9, the meaning set forth in
3 IC 12-21-9-1.

4 **(7) For purposes of IC 12-21-10, the meaning set forth in**
5 **IC 12-21-10-3.**

6 ~~(7)~~ (8) For purposes of IC 12-23-2, the meaning set forth in
7 IC 12-23-2-1.

8 ~~(8)~~ (9) For purposes of IC 12-23-18, the meaning set forth in
9 IC 12-23-18-4.

10 ~~(9)~~ (10) For purposes of IC 12-24-6, the meaning set forth in
11 IC 12-24-6-1.

12 ~~(10)~~ (11) For purposes of IC 12-24-14, the meaning set forth in
13 IC 12-24-14-1.

14 ~~(11)~~ (12) For purposes of IC 12-30-7, the meaning set forth in
15 IC 12-30-7-3.

16 SECTION 4. IC 12-7-2-115.5 IS ADDED TO THE INDIANA
17 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
18 [EFFECTIVE JULY 1, 2025]: **Sec. 115.5. "Indiana first responder",**
19 **for purposes of IC 12-21-10, has the meaning set forth in**
20 **IC 12-21-10-4.**

21 SECTION 5. IC 12-7-2-146, AS AMENDED BY P.L.146-2023,
22 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
23 JULY 1, 2025]: Sec. 146. "Program" refers to the following:

24 (1) For purposes of IC 12-10-5.7, the meaning set forth in
25 IC 12-10-5.7-2.

26 (2) For purposes of IC 12-10-7, the adult guardianship services
27 program established by IC 12-10-7-5.

28 (3) For purposes of IC 12-10-10, the meaning set forth in
29 IC 12-10-10-5.

30 (4) For purposes of IC 12-17.2-2-14.2, the meaning set forth in
31 IC 12-17.2-2-14.2(a).

32 (5) For purposes of IC 12-17.6, the meaning set forth in
33 IC 12-17.6-1-5.

34 **(6) For purposes of IC 12-21-10, the meaning set forth in**
35 **IC 12-21-10-5.**

36 SECTION 6. IC 12-7-2-151.5 IS ADDED TO THE INDIANA
37 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
38 [EFFECTIVE JULY 1, 2025]: **Sec. 151.5. "PTSD", for purposes of**
39 **IC 12-21-10, has the meaning set forth in IC 12-21-10-6.**

40 SECTION 7. IC 12-7-2-154.5 IS ADDED TO THE INDIANA

CODE AS A NEW SECTION TO READ AS FOLLOWS
 [EFFECTIVE JULY 1, 2025]: **Sec. 154.5. "Qualified critical incident", for purposes of IC 12-21-10, has the meaning set forth in IC 12-21-10-7."**

Page 111, between lines 41 and 42, begin a new paragraph and insert:

"SECTION 8. IC 12-21-10 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]:

Chapter 10. Indiana First Responders Mental Health Wellness Fund and Program

Sec. 1. As used in this chapter, "critical incident" means an actual or perceived event or situation that involves crisis, disaster, trauma, or emergency.

Sec. 2. As used in this chapter, "DSM" refers to the most recent edition of the American Psychiatric Association's Diagnostic and Statistical Manual of Mental Disorders.

Sec. 3. As used in this chapter, "fund" refers to the Indiana first responders mental health wellness fund established by section 8 of this chapter.

Sec. 4. As used in this chapter, "Indiana first responder" refers to any of the individuals designated under IC 10-10.5-2-1.

Sec. 5. As used in this chapter, "program" refers to the Indiana first responders mental health wellness program established by section 9 of this chapter.

Sec. 6. As used in this chapter, "PTSD" refers to posttraumatic stress disorder.

Sec. 7. As used in this chapter, "qualified critical incident" means a critical incident that results in an Indiana first responder being diagnosed with PTSD. The events may include:

- (1) a shooting involving the Indiana first responder;**
- (2) a vehicle crash resulting in serious injury or death to an Indiana first responder or citizen;**
- (3) the Indiana first responder being the victim of a felonious assault;**
- (4) the death of the Indiana first responder's colleague or partner;**
- (5) the death of, or serious injury to, a person in the custody or care of the Indiana first responder;**
- (6) the severe injury to, or death of, a child, particularly if the**

1 Indiana first responder has a child of or near the same age as
2 the injured or deceased child; or
3 (7) an incident involving multiple deaths or injuries in a short
4 period of time.

5 Sec. 8. (a) The Indiana first responders mental health wellness
6 fund is established for the purpose of providing benefits payments
7 to Indiana first responders who are eligible to participate in the
8 program. The fund shall be administered by the division.

9 (b) The fund consists of appropriations from the general
10 assembly.

11 (c) The expenses of administering the fund shall be paid from
12 money in the fund.

13 (d) The treasurer of state shall invest the money in the fund not
14 currently needed to meet the obligations of the fund in the same
15 manner as other public money may be invested. Interest that
16 accrues from these investments shall be deposited in the fund.

17 (e) Money in the fund at the end of a state fiscal year does not
18 revert to the state general fund.

19 (f) Money in the fund is continuously appropriated for the
20 purpose of funding the program.

21 Sec. 9. (a) The Indiana first responders mental health wellness
22 program is established to provide benefits to Indiana first
23 responders who are residents of Indiana and who have been
24 diagnosed with PTSD directly related to a qualified critical
25 incident. The program shall be administered by the division.

26 (b) In order for an Indiana first responder to qualify for
27 benefits under the program, the Indiana first responder must:

28 (1) be an Indiana resident;

29 (2) be employed as a first responder in Indiana;

30 (3) have been involved in a qualified critical incident in the
31 line of duty;

32 (4) be diagnosed with PTSD by a psychologist or physician
33 treating the Indiana first responder:

34 (A) not later than two (2) years after the date of the
35 qualified critical incident described in subdivision (3); and

36 (B) based on the diagnostic criteria identified in the DSM;
37 and

38 (5) not currently be eligible to receive:

39 (A) worker's compensation under IC 22-3;

40 (B) insurance coverage to treat the PTSD provided by the

1 Indiana first responder's employer; or

2 (C) disability benefits under:

3 (i) the 1977 police officers' and firefighters' pension and
4 disability fund under IC 36-8-8;

5 (ii) a sheriff's pension trust under IC 36-8-10-12;

6 (iii) the state police pre-1987 benefit system under
7 IC 10-12-3 or the state police 1987 benefit system under
8 IC 10-12-4;

9 (iv) the state excise police, gaming agent, gaming control
10 officer, and conservation enforcement officers'
11 retirement plan under IC 5-10-5.5; or

12 (v) the public employees' retirement fund under
13 IC 5-10.3.

14 (c) An Indiana first responder who meets the requirements
15 described in subsection (b) may apply to the division in a manner
16 prescribed by the division for the following:

17 (1) Costs associated with the Indiana first responder's active
18 participation in a mental health treatment plan as determined
19 by the Indiana first responder's treating psychologist or
20 physician.

21 (2) Subject to subsection (d), if an Indiana first responder's
22 treating psychologist or physician determines that the Indiana
23 first responder is unable to work as a result of the Indiana
24 first responder's PTSD, a weekly compensation equal to
25 sixty-six and two-thirds percent (66 2/3%) of the Indiana first
26 responder's average weekly wages (as defined in IC 22-3-3-22)
27 for a period not to exceed ten (10) days.

28 (d) If an Indiana first responder's treating psychologist or
29 physician determines that the Indiana first responder is unable to
30 work for a period not to exceed thirty (30) weeks in addition to the
31 period described in subsection (c)(2), the Indiana first responder
32 may apply to the division, in a manner prescribed by the division,
33 for review of the Indiana first responder's application by a mental
34 health review panel established by subsection (e).

35 (e) The division shall establish a mental health review panel
36 consisting of:

37 (1) one (1) psychologist licensed under IC 25-33-1-5.1;

38 (2) one (1) psychiatrist licensed as a physician under
39 IC 25-22.5; and

40 (3) one (1) medical doctor licensed as a physician under

IC 25-22.5.

The review panel shall review applications submitted under subsection (d) to determine whether an Indiana first responder who meets the qualifications described in subsection (b) is unable to return to work and to determine whether the Indiana first responder may receive a weekly compensation equal to sixty-six and two-thirds percent (66 2/3%) of the Indiana first responder's average weekly wages (as defined in IC 22-3-3-22) for a period not to exceed thirty (30) weeks in addition to the period described in subsection (c)(2).

Sec. 10. If an Indiana first responder receives compensation under section 9(c)(2) or 9(e) of this chapter, the compensation terminates if the Indiana first responder subsequently receives benefits described in section 9(b)(5) of this chapter or obtains employment with a different employer.

Sec. 11. An Indiana first responder may take unpaid leave for the period the Indiana first responder is unable to work and receives compensation under section 9(c)(2) or 9(e) of this chapter. The employer of an Indiana first responder may not retaliate against an Indiana first responder who requests or obtains the qualified critical incident benefits described in section 9 of this chapter.

Sec. 12. The division shall adopt rules under IC 4-22-2 necessary to administer this chapter."

Renumber all SECTIONS consecutively.
(Reference is to HB 1001 as introduced.)