

HOUSE BILL No. 1080

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.



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.**

