

WEST VIRGINIA LEGISLATURE

2017 REGULAR SESSION

Introduced

House Bill 2644

BY DELEGATE LEWIS

[Introduced February 21, 2017; referred to the
Committee on Government Organization then
Finance.]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,
 2 designated §23-4-1h, relating to requiring that Workers' Compensation funds be disbursed
 3 to firefighters, emergency medical technicians and first responders when those persons
 4 are killed or become injured while responding to emergencies outside their normal
 5 geographic area.

Be it enacted by the Legislature of West Virginia:

1 That the Code of West Virginia, 1931, as amended, be amended by adding thereto a new
 2 section, designated §23-4-1h, to read as follows:

ARTICLE 4. DISABILITY AND DEATH BENEFITS.

§23-4-1h. Disbursement for firefighters, emergency medical technicians and first responders responding to emergencies outside of their normal geographic area.

1 (a) Notwithstanding any provision of this chapter to the contrary, Workers' Compensation
 2 benefits shall be paid to firefighters, emergency medical technicians and first responders
 3 employed by employers subject to this chapter, who have received personal injuries while
 4 responding to emergencies outside their immediate geographic jurisdiction, or to the dependents,
 5 if any, of the firefighter, emergency medical technician or first responder if death has ensued:
 6 Provided, That the firefighter, emergency medical technician or first responder shall only be
 7 eligible if the emergency takes place within the State of West Virginia.

8 (b) For the purposes of this section, an emergency shall be defined as a sudden,
 9 unforeseen happening which requires action to correct and/or protect lives and/or property.

10 (c) Firefighters, emergency medical technicians and first responders are not required to
 11 be on duty or responding to a call from their employer in order to be eligible for benefits under this
 12 section.

13 (d) Firefighters, emergency medical technicians and first responders and their dependents
 14 are eligible for the benefits prescribed under this section for any accident, injury or death occurring

15 after January 1, 2016.

NOTE: The purpose of this bill is to require that Workers' Compensation funds be disbursed to firefighters, emergency medical technicians and first responders when those persons are killed or become injured while responding to emergencies outside their normal geographic area.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.