

House Bill 909

By: Representatives Drenner of the 85th, Scott of the 76th, Davis of the 87th, Schofield of the 63rd, and Lim of the 98th

A BILL TO BE ENTITLED
AN ACT

1 To amend Titles 12, 25, and 33 of the Official Code of Georgia Annotated, relating to
2 conservation and natural resources, fire protection and safety, and insurance, respectively,
3 so as to provide greater health protections for firefighters; to provide for monitoring of
4 concentration levels of perfluoroalkyl and polyfluoroalkyl substances, or PFAS, at certain
5 firefighter related sites; to prohibit the use of firefighting equipment containing PFAS as an
6 intentionally added chemical after a certain date; to require manufacturers of firefighting
7 equipment to label such equipment as containing PFAS as an intentionally added chemical
8 after a certain date; to provide for the development of standards for mitigating PFAS
9 contamination at harmful exposure levels and for the safe disposal or destruction of any
10 firefighting equipment containing PFAS as an intentionally added chemical; to create the
11 Firefighter Health Advisory Council and establish its powers; to provide for the
12 establishment and purpose of the Firefighter PFAS Initiative; to require fire departments to
13 provide and maintain insurance coverage for its firefighters for the payment of claims for
14 PFAS blood testing under certain circumstances; to require insurers to provide coverage for
15 PFAS blood testing under certain circumstances; to revise and provide definitions; to provide
16 for civil penalties; to provide for reporting; to provide for a short title; to provide for
17 legislative findings and intent; to provide for related matters; to repeal conflicting laws; and
18 for other purposes.

H. B. 909

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19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

20 **SECTION 1.**

21 This Act shall be known and may be cited as the "Firefighter Health and Environmental
22 Safety Act."

23 **SECTION 2.**

24 (a) The General Assembly finds that:

25 (1) Firefighters face significant health risks due to occupational exposure to toxic
26 substances, including perfluoroalkyl and polyfluoroalkyl substances, or PFAS; and

27 (2) Current federal and state health programs lack adequate provisions for addressing
28 occupational hazards unique to firefighting.

29 (b) It is the intent of the General Assembly to:

30 (1) Enhance firefighter health protections; and

31 (2) Ensure accountability and compliance with laws, rules, and regulations providing
32 health protections for firefighters through clear enforcement mechanisms.

33 **SECTION 3.**

34 Title 12 of the Official Code of Georgia Annotated, relating to conservation and natural
35 resources, is amended in Article 1 of Chapter 2, relating to the Department of Natural
36 Resources generally, by adding a new Code section to read as follows:

37 "12-2-12.

38 (a) As used in this Code section, the term:

39 (1) 'Covered site' means any land within this state used as a fire department or as a
40 training site for firefighting operations.

41 (2) 'Division' means the Environmental Protection Division of the Department of Natural
42 Resources.

43 (3) 'Fire department' shall have the same meaning as set forth in Code Section 25-3-21.

44 (4) 'Harmful exposure level' means, which respect to the human population, including
45 sensitive subgroups, a concentration level of PFAS that, over a lifetime or part of a
46 lifetime, may cause a change in body function, including, but not limited to, organ
47 function or cell structure, that might lead to disease or health problems, as determined by
48 the division after considering any regulations or guidance issued by the United States
49 Environmental Protection Agency, as of July 31, 2027.

50 (5) 'Perfluoroalkyl and polyfluoroalkyl substances' or 'PFAS' shall have the same
51 meaning as set forth in Code Section 25-2-41.

52 (b) Subject to available funding, beginning on January 1, 2027, the division shall
53 participate in or conduct such studies, reviews, investigations, research, emission
54 inventories, and demonstrations as it deems necessary to monitor levels of PFAS
55 contamination in air, water, and soil at covered sites; provided, however, that, for any
56 privately held land, the division shall receive permission to conduct such monitoring
57 activities from the owner. The division shall provide a written analysis of the results of
58 such monitoring for each covered site not less frequently than quarterly to the Firefighter
59 Health Advisory Council, established pursuant to Code Section 25-2-42.

60 (c) Not later than January 1, 2028, the division shall adopt rules and regulations
61 establishing decontamination protocols for fire departments relating to mitigating PFAS
62 contamination at a harmful exposure level. In adopting such rules and regulations, the
63 division shall take into consideration any regulations or guidance issued by the United
64 States Environmental Protection Agency, as of July 31, 2027."

65 **SECTION 4.**

66 Title 25 of the Official Code of Georgia Annotated, relating to fire protection and safety, is
67 amended by revising Code Section 25-2-41, relating to use of class B fire-fighting foam
68 containing intentionally added PFAS chemicals, as follows:

69 "25-2-41.

70 (a) As used in this Code section, the term:

71 (1) 'Class B ~~fire-fighting~~ firefighting foam' means any foam designed to extinguish
72 flammable liquid fires.

73 (2) 'Division' means the Environmental Protection Division of the Department of Natural
74 Resources.

75 (3) 'Fire department' shall have the same meaning as set forth in Code Section 25-3-21.

76 (4) 'Firefighter' shall have the same meaning as set forth in Code Section 25-4-2.

77 (5) 'Firefighting equipment' means any materials used by firefighters to extinguish fires,
78 including, but not limited to, class B firefighting foam; jackets, pants, gloves, boots,
79 helmets, face masks, and other personal protective equipment used by firefighters; and
80 any other materials used by firefighters in firefighting.

81 (6) 'Intentionally added chemical' means a chemical in a product that serves an intended
82 function or technical effect in the product or product component, including the PFAS
83 within intentionally added chemicals and PFAS that are intentional breakdown products
84 of an added chemical that also have a functional or technical effect in the product or
85 product component.

86 (7) 'Manufacturer' means:

87 (A) Any entity which manufactures, makes, produces, or causes to be produced
88 firefighting equipment sold in this state or firefighting equipment that such entity
89 intends to be sold in this state;

90 (B) The first purchaser of firefighting equipment manufactured anywhere that intends
91 to resell such firefighting equipment in this state regardless of whether the original
92 manufacturer, maker, or producer intends such firefighting equipment to be sold in the
93 United States; or

94 (C) Any entity which becomes a successor of an entity described in subparagraph (A)
95 or (B) of this paragraph.

96 ~~(2)~~(8) 'Perfluoroalkyl and polyfluoroalkyl substances' or 'PFAS' ~~'PFAS chemicals'~~ means
97 a class of fluorinated organic chemicals containing at least one fully fluorinated carbon
98 atom, ~~including perfluoroalkyl and polyfluoroalkyl substances, and designed to be fully~~
99 ~~functional in class B fire-fighting foam formulations.~~

100 (9) 'Person' means any individual, partnership, association, firm, public or private
101 corporation, or public entity.

102 (10) 'Public entity' means a department, agency, board, bureau, commission, authority,
103 or instrumentality of the State of Georgia, any local government or authority, including
104 a county, municipal, or consolidated government in this state, or any other political
105 subdivision in this state. Such term includes a fire department or local school system.

106 ~~(3)~~(11) 'Testing' means calibration testing, conformance testing, or fixed system testing.

107 (b) Until June 30, 2030, no person ~~On and after January 1, 2020, no person; fire~~
108 ~~department provided for under Chapter 3 of this title; state department, agency, board,~~
109 ~~bureau, office, commission, public corporation, or authority; county, municipal~~
110 ~~corporation, school district, or other political subdivision of this state shall discharge or~~
111 ~~otherwise use class B fire-fighting~~ firefighting foam that contains ~~intentionally added PFAS~~
112 ~~chemicals~~ PFAS as an intentionally added chemical unless:

113 (1) Such discharge or other use occurs in fire prevention or in response to an emergency
114 ~~fire-fighting~~ firefighting operation; or

115 (2) Such discharge or other use is for training or testing purposes which occurs at a
116 facility that has implemented containment, treatment, and disposal measures to prevent
117 uncontrolled releases of such class B ~~fire-fighting~~ firefighting foam into the environment.

118 ~~(c) Nothing in this Code section shall be construed to:~~

119 ~~(1) Restrict the manufacture, sale, or distribution of class B fire-fighting foam that~~
120 ~~contains intentionally added PFAS chemicals or restrict the discharge or other use of~~
121 ~~class B fire-fighting foam in response to an emergency fire-fighting operation; or~~

122 (2) Prevent the use of nonfluorinated foams, including other class B fire-fighting foams,
123 for purposes of training for fire-fighting operations.

124 (c) Beginning on July 1, 2030, no person shall discharge, use, or cause to be used any
125 firefighting equipment containing PFAS as an intentionally added chemical.

126 (d) Beginning on July 1, 2030, no person or manufacturer shall distribute, sell, or offer for
127 sale in this state any newly manufactured firefighting equipment containing PFAS as an
128 intentionally added chemical unless it is accompanied by a legible and easily discernable
129 disclosure with the statement 'Made with PFAS Chemicals,' including for online listings
130 of products for sale.

131 (e) No later than January 1, 2028, the division shall adopt rules and regulations
132 establishing standards for any fire department operating in this state to safely destroy
133 firefighting equipment containing PFAS as an intentionally added chemical. In adopting
134 such rules and regulations, the division shall take into consideration any regulations or
135 guidance issued by the United States Environmental Protection Agency, as of July 31,
136 2027.

137 (f) Beginning on July 1, 2028, no person shall destroy or dispose of firefighting equipment
138 containing PFAS as an intentionally added chemical except as provided by any rules and
139 regulations adopted by the division.

140 (g)(1) Except as provided in paragraph (2) of this subsection, any person that violates
141 subsection (c) of this Code section shall be liable for a civil penalty not to exceed
142 \$10,000.00 for each day that the violation persists, after such person is notified of the
143 Commissioner's intent to impose a penalty and of the right to a hearing with respect to
144 the same. The amount of any such penalty shall be fixed by the Commissioner.

145 (2)(A) No person shall be held in violation of paragraph (1) of this subsection if such
146 person relied in good faith upon representations of a manufacturer that firefighting
147 equipment did not contain PFAS as an intentionally added chemical.

148 (B) No individual firefighter shall be personally liable for payment of any civil penalty
149 imposed under this subsection.

150 (h) Any person or manufacturer that violates subsection (d) of this Code section shall be
151 subject to a civil penalty of \$100.00 per violation, after such person or manufacturer is
152 notified of the Commissioner's intent to impose a penalty and of the right to a hearing with
153 respect to the same. For the purposes of this subsection, each article of newly
154 manufactured firefighting equipment that is distributed, sold, or offered for sale in this state
155 in violation of subsection (d) shall constitute a separate violation.

156 (i) Any person that violates subsection (f) of this Code section shall be subject to a civil
157 penalty, not to exceed \$10,000.00 per violation, after such person is notified of the
158 Commissioner's intent to impose a penalty and of the right to a hearing with respect to the
159 same. The amount of any such penalty shall be fixed by the Commissioner."

160 **SECTION 5.**

161 Said title is further amended by adding new Code sections to read as follows:

162 "25-2-42.

163 (a) As used in this Code section, the term:

164 (1) 'Council' means the Firefighter Health Advisory Council established pursuant to this
165 Code section.

166 (2) 'Firefighter' shall have the same meaning as set forth in Code Section 25-4-2.

167 (3) 'PFAS' shall have the same meaning as set forth in Code Section 25-2-41.

168 (b) There is established within the office of the Commissioner the Firefighter Health
169 Advisory Council. The objective of the council shall be to monitor current and future
170 health risks impacting firefighters in this state and to provide recommendations on
171 solutions to mitigate such health risks, with a focus on the effects of exposure to PFAS.
172 All affected state agencies shall cooperate with the council in its efforts to meet such

173 objective. This subsection shall not be construed to authorize the council to perform any
174 function currently performed by an affected state agency.

175 (c) The council shall be composed of 12 members as follows:

176 (1) The Commissioner or his or her designee, who shall serve as the chairperson;

177 (2) The commissioner of public health or his or her designee;

178 (3) The commissioner of natural resources or his or her designee;

179 (4) The director of the Georgia Emergency Management and Homeland Security Agency
180 or his or her designee;

181 (5) One representative from the Georgia Association of Fire Chiefs, appointed by the
182 Governor;

183 (6) One representative from the Georgia State Firefighters Association, appointed by the
184 Lieutenant Governor;

185 (7) One representative from a state-wide labor organization representing firefighters,
186 appointed by the Speaker of the House of Representatives;

187 (8) One representative from a medical or research institution experienced in occupational
188 health, appointed by the Governor;

189 (9) One representative from the insurance industry experienced in firefighter related
190 claims, appointed by the Lieutenant Governor;

191 (10) One firefighter with at least ten years of experience as a full-time firefighter,
192 appointed by the Speaker of the House of Representatives;

193 (11) One firefighter with at least ten years of experience as a volunteer firefighter,
194 appointed by the Governor; and

195 (12) One representative from the general public with a proven interest in firefighter
196 health and safety, appointed by the Governor.

197 (d) On or before October 1, 2025:

198 (1) The Governor shall appoint the first members of the council pursuant to
199 paragraphs (5), (8), (11), and (12) of subsection (c) of this Code section;

200 (2) The Lieutenant Governor shall appoint the first members of the council pursuant to
201 paragraphs (6) and (9) of subsection (c) of this Code section; and

202 (3) The Speaker of the House of Representatives shall appoint the first members of the
203 council pursuant to paragraphs (7) and (10) of subsection (c) of this Code section.

204 (e) All members of the council appointed by the Governor shall serve terms of four years,
205 and all members of the council appointed by the Lieutenant Governor or the Speaker of the
206 House of Representatives shall serve terms of two years. All appointed members shall
207 serve until the appointment of his or her successor. Successors to appointed members shall
208 be appointed in the same manner as original appointments. Vacancies shall be filled in the
209 same manner as the original appointments. Each appointed member shall be eligible to
210 succeed himself or herself; provided, however, that no member shall serve more than four
211 consecutive terms on the council.

212 (f) Each member of the council shall be a citizen of the United States and a resident of the
213 State of Georgia.

214 (g) Subject to available funding, the council shall:

215 (1) Develop a health program focused on monitoring and reducing the harmful health
216 effects of exposure to PFAS with respect to firefighters, to be called the Firefighter PFAS
217 Initiative. The purposes and duties of such program shall be to:

218 (A) Aggregate and maintain data related to PFAS contamination levels at covered sites
219 collected pursuant to Code Section 12-2-12;

220 (B) Aggregate and maintain PFAS related health data on firefighters collected pursuant
221 to Code Section 25-2-43;

222 (C) Synthesize existing studies, reports, and data related to PFAS with any data
223 collected pursuant to subparagraphs (A) and (B) of this paragraph to identify and track
224 health condition incidence and health trends among firefighters;

225 (D) Collaborate with other health related state entities, including, but not limited to, the
226 Department of Public Health, the Department of Community Health, and the

227 Environmental Protection Division of the Department of Natural Resources, to support
228 and integrate with existing initiatives and programs related to monitoring and mitigating
229 the harmful effects of PFAS; and

230 (E) Provide annual public forums to present key findings of the Firefighter PFAS
231 Initiative and gather community feedback;

232 (2) Identify any significant health risks, other than PFAS exposure, affecting firefighters
233 in this state and develop innovative recommendations for addressing such health risks;
234 and

235 (3) On or before December 1 of each year, file a report to the Governor and the General
236 Assembly, including a summary of the council's key findings and recommendations, if
237 any, for legislative changes with respect to reducing significant health risks affecting
238 firefighters.

239 (h) The council shall convene at least quarterly or at such other frequency as determined
240 by the chairperson.

241 (i) The council shall be empowered to use subcommittees as it deems necessary to carry
242 out its duties and responsibilities. Members of such subcommittees shall be knowledgeable
243 of the subject matter with which the subcommittee is concerned and shall be appointed by
244 the chairperson of the council upon the recommendation of the council.

245 (j) Members of the council shall serve without compensation but shall receive the same
246 expense allowance as that received by members of the General Assembly and the same
247 mileage allowance for the use of a personal car or a travel allowance of actual
248 transportation cost if traveling by public carrier as that received by all other state officials
249 and employees. The funds for such expenses and allowances shall be paid from funds
250 appropriated or available to the council.

251 (k) The council is authorized to accept donations, gifts, property, and other contributions
252 and to use the same for the purposes of carrying out this Code section.

253 25-2-43.

254 (a) As used in this Code section, the term:

255 (1) 'Laboratory' means any institution that conducts PFAS blood testing.

256 (2) 'PFAS blood testing' shall have the same meaning as set forth in Code
257 Section 25-3-23.

258 (b) Firefighter participation in the Firefighter PFAS Initiative, established pursuant to
259 paragraph (1) of subsection (g) of Code Section 25-2-42, shall be voluntary. Any
260 laboratory conducting PFAS blood testing on a firefighter shall obtain written informed
261 consent from such firefighter prior to sharing the health information set forth in
262 subsection (c) of this Code section.

263 (c) Subject to subsection (b) of this Code section, each laboratory in this state shall report
264 biannually to the Firefighter Health Advisory Council within the office of the
265 Commissioner concerning PFAS health metrics established by such council as reasonably
266 necessary to implement the Firefighter PFAS Initiative.

267 (d) Each laboratory in this state shall forward data collected from PFAS blood testing to
268 the Firefighter Health Advisory Council in a form and manner to be determined by the
269 Firefighter Health Advisory Council, provided that any data forwarded shall be aggregated
270 and shall not contain any identifying or confidential information with regard to any
271 individual firefighter.

272 (e) Notwithstanding anything to the contrary in this Code section, PFAS blood testing and
273 reporting by any laboratory shall be conducted in a manner that ensures the privacy of the
274 firefighter during the testing process and consistency with state and federal laws applicable
275 to the confidentiality of health records."

276 **SECTION 6.**

277 Said title is further amended by revising subsection (b) of Code Section 25-3-23, relating to
278 general requirements, equipment and clothing, and insurance, as follows:

279 "(b)(1) A legally organized fire department shall provide and maintain sufficient insurance
280 coverage on each member of the fire department to pay claims for injuries sustained en
281 route to, during, and returning from fire calls or other emergencies and disasters and
282 scheduled training sessions.

283 (2)(A) As used in this paragraph, the term:

284 (i) 'Cancer' means bladder, blood, brain, breast, cervical, esophageal, intestinal,
285 kidney, lymphatic, lung, prostate, rectal, respiratory tract, skin, testicular, and thyroid
286 cancer; leukemia; multiple myeloma; or non-Hodgkin's lymphoma.

287 (ii) 'Certified' shall have the same meaning as set forth in Code Section 31-22-1.

288 (iii) 'Clinical laboratory' shall have the same meaning as set forth in Code
289 Section 31-22-1.

290 ~~(ii)(iv) 'Firefighter' means a firefighter as defined~~ shall have the same meaning as set
291 forth in Code Section 25-4-2.

292 (v) 'PFAS blood testing' means a measurement of the amount of perfluoroalkyl and
293 polyfluoroalkyl substances in blood performed by a certified clinical laboratory and
294 includes a physician's interpretation of the results.

295 ~~(iii)(vi) 'Volunteer' means a volunteer as defined~~ shall have the same meaning as set
296 forth in Code Section 25-4-2.

297 (B) On and after January 1, 2018, a legally organized fire department shall provide and
298 maintain sufficient insurance coverage on each member of the fire department who is
299 a firefighter to pay claims for cancer diagnosed after having served 12 consecutive
300 months as a firefighter in this state. Such insurance benefits shall include at minimum
301 the following:

302 (i)(I) A lump sum benefit of \$25,000.00 subject to limitations specified in the
303 insurance contract and based on severity of cancer and payable to such firefighter
304 upon submission to the insurance carrier or other payor of acceptable proof of
305 diagnosis by a physician who is board certified in the medical specialty appropriate

306 for the type of cancer involved that there are one or more malignant tumors
307 characterized by the uncontrollable and abnormal growth and spread of malignant
308 cells with invasion of normal tissue and that:

- 309 (a) Surgery, radiotherapy, or chemotherapy is medically necessary;
- 310 (b) There is metastasis; or
- 311 (c) The firefighter has terminal cancer, is expected to die within 24 months or less
312 from the date of diagnosis, and will not benefit from, or has exhausted, curative
313 therapy; or

314 (II) A lump sum benefit of \$6,250.00 subject to limitations specified in the
315 insurance contract and based on severity of cancer and payable to such firefighter
316 upon submission to the insurance carrier or other payor of acceptable proof of
317 diagnosis by a physician who is board certified in the medical specialty appropriate
318 for the type of cancer involved that:

- 319 (a) There is carcinoma in situ such that surgery, radiotherapy, or chemotherapy
320 has been determined to be medically necessary;
- 321 (b) There are malignant tumors which are treated by endoscopic procedures
322 alone;
- 323 (c) There are malignant melanomas; or
- 324 (d) There is a tumor of the prostate, provided that it is treated with radical
325 prostatectomy or external beam therapy; and

326 (ii) Payable as a result of a specific injury or illness to begin six months after
327 disability and submission to the insurance carrier or other payor of acceptable proof
328 of disability precluding service as a firefighter and continuing for up to 36
329 consecutive monthly payments:

- 330 (I) A monthly benefit equal to 60 percent of the member's monthly salary as an
331 employed firefighter with the fire department or a monthly benefit of \$5,000.00,
332 whichever is less; or

333 (II) If the member is a volunteer, a monthly benefit of \$1,500.00.

334 The benefit under subdivision (I) or (II) of this division, as applicable, shall be
335 subordinate to any other benefit actually paid to the firefighter for such disability from
336 any other source, not including insurance purchased solely by the firefighter, and shall
337 be limited to the difference between the amount of such other paid benefit and the
338 amount specified under subdivision (I) or (II) of this division, as applicable.

339 (C) The combined total of all benefits received by any firefighter under
340 subdivisions (B)(i)(I) and (B)(i)(II) of this paragraph during his or her lifetime shall not
341 exceed \$50,000.00.

342 (D) Beginning on July 1, 2026, a legally organized fire department shall provide and
343 maintain sufficient insurance coverage for each member of the fire department who is
344 a firefighter to pay claims for PFAS blood testing after having served 12 consecutive
345 months as a firefighter in this state.

346 ~~(D)~~(E) With the exception of the benefit under subdivision (B)(ii)(I) of this paragraph,
347 any person who was simultaneously a member of more than one fire department at the
348 time of diagnosis shall not be entitled to receive benefits under this paragraph from or
349 on behalf of more than one of such fire departments. In the event a volunteer of one
350 fire department is simultaneously employed by another fire department, the fire
351 department for which such person is a volunteer shall not be required to maintain the
352 coverage on such volunteer otherwise required under this subsection during the period
353 of such employment. Any member who receives benefits under division (ii) of
354 subparagraph (B) of this paragraph may be required to have his or her condition
355 reevaluated; in the event any such reevaluation reveals that such person has regained
356 the ability to perform duties as a firefighter, then his or her benefits under division (ii)
357 of subparagraph (B) of this paragraph shall cease. Benefits under said division shall
358 also cease upon the death of such person. A member who, after at least one year as a
359 firefighter with any legally organized fire department, departs from employment, ceases

360 to be an active volunteer, or retires shall be entitled to continue his or her coverages
 361 under this paragraph through a continuation or conversion to individual coverage. The
 362 departing member shall be responsible for payment of all premiums.

363 ~~(E)~~(F) In addition to any other purpose authorized under Chapter 8 of Title 33, county
 364 governing authorities and municipal governing authorities may use proceeds from
 365 county and municipal taxes imposed under said chapter for purposes of providing
 366 insurance pursuant to this paragraph.

367 ~~(F)~~(G) Funds received as premiums for the coverages specified in this paragraph shall
 368 not be subject to premium taxes under Chapter 8 of Title 33.

369 ~~(G)~~(H) The computation of premium amounts by an insurer for the coverages under
 370 this paragraph shall be subject to generally accepted adjustments from insurance
 371 underwriting."

372 **SECTION 7.**

373 Said title is further amended in Chapter 7, relating to the Georgia Fire Academy, by revising
 374 paragraph (2) of Code Section 25-7-2, relating to creation and purpose of the academy, as
 375 follows:

376 "(2) To provide professional training to paid, volunteer, and other publicly or privately
 377 employed firefighters at a minimal cost to them and their employers, including, but not
 378 limited to, annual training related to PFAS exposure risks and mitigation;"

379 **SECTION 8.**

380 Said title is further by revising Code Section 25-7-3, relating to "board" defined, as follows:
 381 "25-7-3.

382 As used in this chapter, the term:

383 (1) 'Board' ~~'board'~~ means the Board of Public Safety.

384 (2) 'Perfluoroalkyl and polyfluoroalkyl substances' or 'PFAS' shall have the same
385 meaning as set forth in Code Section 25-2-41."

386 **SECTION 9.**

387 Title 33 of the Official Code of Georgia Annotated, relating to insurance, is amended by
388 adding a new Code section to read as follows:

389 "33-29-3.5.

390 (a) As used in this Code section, the term:

391 (1) 'Firefighter' shall have the same meaning as set forth in Code Section 25-4-2.

392 (2) 'PFAS blood testing' shall have the same meaning as set forth in Code
393 Section 25-3-23.

394 (3) 'Policy' means any benefit plan, contract, or policy except a disability income policy,
395 specified disease policy, or hospital indemnity policy.

396 (b) Policies subject to this Code section shall contain coverage for PFAS blood testing
397 performed with at least the following frequency:

398 (1) Once as a baseline for any firefighter who has served at least 12 consecutive months
399 but fewer than 24 consecutive months as a firefighter in this state; or

400 (2) Once every year for any firefighter who has served at least 24 consecutive months
401 as a firefighter in this state.

402 (c) Each insurer authorized to issue an individual accident and sickness insurance policy
403 in this state which includes coverage for any firefighter shall include as part of or as a
404 required endorsement to each such policy which is issued, delivered, issued for delivery,
405 or renewed coverage for PFAS blood testing for the covered firefighters who meet the
406 minimum requirements of this Code section.

407 (d) The coverage required under subsection (c) of this Code section may be subject to such
408 exclusions, reductions, or other limitations as to coverages, deductibles, or coinsurance
409 provisions as may be approved by the Commissioner.

410 (e) Nothing in this Code section shall be construed to prohibit the issuance of individual
411 accident and sickness insurance policies which provide benefits greater than those required
412 by subsection (c) of this Code section or more favorable to the insured than those required
413 by subsection (c) of this Code section.

414 (f) The provisions of this Code section shall apply to individual accident and sickness
415 insurance policies issued by a fraternal benefit society, a healthcare plan, a health
416 maintenance organization, or any similar entity.

417 (g) Nothing contained in this Code section shall be deemed to prohibit the payment of
418 different levels of benefits or from having differences in coinsurance percentages
419 applicable to benefit levels for services provided by preferred and nonpreferred providers
420 as otherwise authorized under the provisions of Article 2 of Chapter 30 of this title, relating
421 to preferred provider arrangements."

422 **SECTION 10.**

423 Said title is further amended by adding a new Code section to read as follows:

424 "33-30-4.6.

425 (a) As used in this Code section, the term:

426 (1) 'Firefighter' shall have the same meaning as set forth in Code Section 25-4-2.

427 (2) 'PFAS blood testing' shall have the same meaning as set forth in Code
428 Section 25-3-23.

429 (3) 'Policy' means any benefit plan, contract, or policy except a disability income policy,
430 specified disease policy, or hospital indemnity policy.

431 (b) Policies subject to this Code section shall contain coverage for PFAS blood testing
432 performed with at least the following frequency:

433 (1) Once as a baseline for any firefighter who has served at least 12 consecutive months
434 but fewer than 24 consecutive months as a firefighter in this state; or

435 (2) Once every year for any firefighter who has served at least 24 consecutive months
436 as a firefighter in this state.

437 (c) Each insurer authorized to issue a group accident and sickness insurance policy in this
438 state which includes coverage for any firefighter shall include as part of or as a required
439 endorsement to each such policy which is issued, delivered, issued for delivery, or renewed
440 coverage for PFAS blood testing for the covered firefighters who meet the minimum
441 requirements of this Code section.

442 (d) The coverage required under subsection (c) of this Code section may be subject to such
443 exclusions, reductions, or other limitations as to coverages, deductibles, or coinsurance
444 provisions as may be approved by the Commissioner.

445 (e) Nothing in this Code section shall be construed to prohibit the issuance of group
446 accident and sickness insurance policies which provide benefits greater than those required
447 by subsection (c) of this Code section or more favorable to the insured than those required
448 by subsection (c) of this Code section.

449 (f) The provisions of this Code section shall apply to group accident and sickness
450 insurance policies issued by a fraternal benefit society, a healthcare plan, a health
451 maintenance organization, or any similar entity.

452 (g) Nothing contained in this Code section shall be deemed to prohibit the payment of
453 different levels of benefits or from having differences in coinsurance percentages
454 applicable to benefit levels for services provided by preferred and nonpreferred providers
455 as otherwise authorized under the provisions of Article 2 of this chapter, relating to
456 preferred provider arrangements."

457 **SECTION 11.**

458 All laws and parts of laws in conflict with this Act are repealed.