

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019**

**SENATE BILL 458
RATIFIED BILL**

**AN ACT DESIGNATING POSTTRAUMATIC STRESS INJURY AWARENESS DAY IN
NORTH CAROLINA; ADDRESSING PARENTAL CONSENT AND THE DISPOSITION
OF FETAL REMAINS; AND AUTHORIZING ENGAGEMENT WITH THIRD-PARTY
TOXICOLOGY LABORATORIES TO GUIDE RESOURCES.**

Whereas, all citizens of the United States possess the basic human right to the preservation of personal dignity; and

Whereas, all citizens of the United States deserve the investment of every possible resource to ensure their lasting physical, mental, and emotional well-being; and

Whereas, the diagnosis known as posttraumatic stress disorder (PTSD) was initially formulated in 1980 by the American Psychiatric Association to more accurately assess and assist veterans who had endured severe combat stress in Vietnam; and

Whereas, combat stress is an invisible wound which has historically been unjustly portrayed as a mental illness caused by a preexisting flaw of character or ability and that the word "disorder" carries a stigma which perpetuates this misconception; and

Whereas, it has been shown through electromagnetic imaging that these invisible wounds can cause physical changes to the brain that more accurately describe an injury than a disorder; and

Whereas, referring to invisible wounds as a disorder can discourage the injured from seeking proper and timely medical treatment; and

Whereas, referring to invisible wounds as posttraumatic stress injury (PTSI) is less stigmatizing and viewed as more honorable, and this designation can favorably influence those affected and encourage them to seek treatment without fear of retribution or shame; and

Whereas, PTSI can occur following exposure to extremely traumatic events other than combat such as interpersonal violence, life-threatening accidents, and natural disasters; and

Whereas, PTSI satisfying criteria A through H of the diagnosis for PTSD in the Diagnostic Statistical Manual deserves disability compensation equal to that allowed for PTSD under the law; and

Whereas, timely and appropriate treatment of PTSI can diminish complications and avert suicides; and

Whereas, all citizens suffering PTSIs deserve our compassion and consideration; those brave men and women of the United States Armed Forces who have received these wounds in operational action against an enemy of the United States further deserve our clear and obvious recognition; Now, therefore,

The General Assembly of North Carolina enacts:

PART I. DESIGNATE POSTTRAUMATIC STRESS INJURY AWARENESS DAY

SECTION 1. Chapter 103 of the General Statutes is amended by adding a new section to read:

"§ 103-15. Posttraumatic stress injury awareness.



June 27 of each year is designated as Posttraumatic Stress Injury Awareness Day in North Carolina."

PART III. ADDRESS PARENTAL CONSENT AND THE DISPOSITION OF FETAL REMAINS

SECTION 8.(a) Article 16 of Chapter 130A of the General Statutes is amended by adding a new section to read:

"§ 130A-421. Parental consent to disposition of fetal remains.

In every instance of unintended fetal death resulting from accidental injury, stillbirth, or miscarriage, the attending physician or individual in charge of the institution where the fetal remains were expelled or extracted shall obtain consent from the mother before the disposal of the fetal remains and shall only dispose of the fetal remains by burial, cremation, or incineration in accordance with applicable laws and regulations. If the mother is unable to give consent, and the father is known and able to be contacted within seven days, the attending physician or individual in charge of the institution where the fetal remains were expelled or extracted shall obtain consent from the father and shall only dispose of the fetal remains by burial, cremation, or incineration in accordance with applicable laws and regulations. If neither the mother nor the father is able to give consent within seven days from the time the remains were expelled or extracted, the fetal remains shall only be disposed of by burial, cremation, or incineration in accordance with applicable laws and regulations. Burial or cremation shall be the only method of disposing of fetal remains that have developed beyond completion of the second trimester of gestation."

SECTION 8.(b) This section becomes effective January 1, 2020, and applies to the disposition of fetal remains on or after that date.

PART IV. AUTHORIZE ENGAGEMENT WITH THIRD-PARTY TOXICOLOGY LABORATORIES TO GUIDE RESOURCES

SECTION 9. The Department of Health and Human Services, the Department of Justice, local health departments as defined in G.S. 130A-2(5), and local law enforcement agencies are authorized to engage third-party toxicology laboratories, capable of providing clinical intelligence and data related to prescription and illicit drug usage trends and developments, for the purpose of providing data to guide the delivery of drug treatment and law enforcement resources.

PART V. EFFECTIVE DATE

SECTION 10. Unless otherwise provided, this act is effective when it becomes law.
In the General Assembly read three times and ratified this the 13th day of September,

2019.

s/ Carl Ford
Presiding Officer of the Senate

s/ Tim Moore
Speaker of the House of Representatives

Roy Cooper
Governor

Approved _____m. this _____ day of _____, 2019