

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019

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SENATE BILL 149*

Short Title: Allow Hyperbaric Oxygen Therapy for TBI/PTSD. (Public)

Sponsors: Senators D. Davis and Perry (Primary Sponsors).

Referred to: Rules and Operations of the Senate

February 27, 2019

1 A BILL TO BE ENTITLED
2 AN ACT AUTHORIZING CERTAIN MEDICAL PROFESSIONALS TO PRESCRIBE OR
3 PROVIDE HYPERBARIC OXYGEN THERAPY FOR VETERANS WITH TRAUMATIC
4 BRAIN INJURY AND POSTTRAUMATIC STRESS DISORDER.

5 Whereas, hyperbaric oxygen therapy is a recognized and accepted treatment for
6 wound care and inflammation disorders; and

7 Whereas, traumatic brain injury and posttraumatic stress disorder are recognized to
8 result from brain injuries and subsequent inflammation; Now, therefore,
9 The General Assembly of North Carolina enacts:

10 **SECTION 1.** This act shall be known and may be cited as the "North Carolina
11 Veterans Traumatic Brain Injury and Posttraumatic Stress Disorder Treatment and Recovery Act
12 of 2019."

13 **SECTION 2.(a)** G.S. 122C-455 through G.S. 122C-464. Reserved for future
14 codification purposes.

15 **SECTION 2.(b)** Article 6 of Chapter 122C of the General Statutes is amended by
16 adding a new Part to read:

17 "Part 5. Traumatic Brain Injury and Posttraumatic Stress Disorder Services for Veterans.

18 "**§ 122C-465. Definitions.**

19 As used in this Part, the following definitions apply:

- 20 (1) Authorized medical professional. – A doctor of medicine, nurse practitioner,
21 physician assistant, or doctor of osteopathy licensed to practice in this State.
22 (2) Hyperbaric oxygen therapy treatment. – Treatment with a valid prescription
23 from an authorized medical professional in either a hyperbaric chamber
24 approved by the United States Food and Drug Administration (FDA), or a
25 device with an appropriate FDA-approved investigational device exemption.
26 (3) Veteran. – A person who served on active duty, other than for training, in any
27 component of the Armed Forces of the United States for a period of 180 days
28 or more, unless released earlier because of service-connected disability, and
29 who was discharged or released from the Armed Forces of the United States
30 under other than dishonorable conditions.

31 "**§ 122C-465.1. Hyperbaric oxygen therapy treatment authorized.**

32 (a) No person other than an authorized medical professional shall prescribe or provide
33 hyperbaric oxygen therapy treatment to a veteran for the treatment of traumatic brain injury or
34 posttraumatic stress disorder. Any authorized medical professional who prescribes or provides
35 hyperbaric oxygen therapy treatment to a veteran for traumatic brain injury or posttraumatic



1 stress disorder shall do so in a manner that complies with the standard approved treatment
2 protocols for this therapy.

3 (b) Any veteran residing in North Carolina who has been diagnosed with a traumatic
4 brain injury or posttraumatic stress disorder by an authorized medical professional may receive
5 hyperbaric oxygen therapy treatment in this State."

6 **SECTION 2.(c)** G.S. 122C-465.2 through G.S. 122C-465.5. Reserved for future
7 codification purposes.

8 **SECTION 3.** This act becomes effective October 1, 2019.