

1 State of Arkansas
2 95th General Assembly
3 Regular Session, 2025
4

As Engrossed: H3/12/25

A Bill

HOUSE BILL 1505

5 By: Representatives Wing, Barker, Furman, L. Johnson, McAlindon, Rye
6 By: Senators C. Tucker, J. Scott
7

For An Act To Be Entitled

9 AN ACT TO AMEND THE LAW CONCERNING PUBLIC SAFETY
10 EMPLOYEES WHO HAVE EXPERIENCED A TRAUMATIC EVENT; TO
11 OFFER LICENSED COUNSELING TO PUBLIC SAFETY EMPLOYEES
12 WHO HAVE EXPERIENCED A TRAUMATIC EVENT; TO REQUIRE A
13 PUBLIC EMPLOYER TO PROVIDE COVERAGE FOR LICENSED
14 COUNSELING FOR A PUBLIC SAFETY EMPLOYEE WHO HAS
15 EXPERIENCED A TRAUMATIC *EVENT*; TO DECLARE AN
16 *EMERGENCY*; AND FOR OTHER PURPOSES.

Subtitle

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19 TO REQUIRE A PUBLIC EMPLOYER TO OFFER
20 AND PROVIDE COVERAGE FOR LICENSED
21 COUNSELING FOR A PUBLIC SAFETY EMPLOYEE
22 WHO HAS EXPERIENCED A TRAUMATIC EVENT;
23 AND TO DECLARE AN EMERGENCY.
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26 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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28 SECTION 1. Arkansas Code Title 21, Chapter 5, Subchapter 1, is amended
29 to add an additional section to read as follows:

30 21-5-112. Coverage for licensed counseling for traumatic event –

31 Definitions.

32 (a) As used in this section:

33 (1) “Firefighter” means a person who is a:

34 (A) Paid, full-time member of a fire department or
35 firefighting unit of a public employer and who actively engages in the
36 fighting of fires on a regular basis;



1 (B) Paid, full-time instructor of the Arkansas Fire
2 Training Academy; or

3 (C) Member of the firefighting organization of the:
4 (i) Arkansas National Guard Robinson Maneuver
5 Training Center; or

6 (ii) Arkansas National Guard Fort Chaffee Joint
7 Maneuver Training Center;

8 (2) "Licensed counseling" means counseling provided by a
9 licensed mental health professional;

10 (3) "Licensed mental health professional" means an individual
11 who:

12 (A) Is a licensed:

13 (i) Psychiatrist;

14 (ii) Psychologist;

15 (iii) Mental health professional who holds either a
16 master's degree or a doctoral degree related to the mental health profession;

17 (iv) Advanced practice registered nurse working
18 within the scope of his or her practice as a mental health nurse practitioner
19 or a mental health clinical nurse; or

20 (v) Psychiatric physician assistant working under
21 the supervision of a licensed physician;

22 (B) Specializes in trauma and crisis; and

23 (C) Uses evidence-based treatment options;

24 (4) "Police officer" means a paid, full-time:

25 (A) Law enforcement officer engaged in official duty who
26 is a member of:

27 (i) A regular police force;

28 (ii) The Division of Arkansas State Police; or

29 (iii) The law enforcement organization of the:

30 (a) Arkansas National Guard Robinson Maneuver
31 Training Center; or

32 (b) Arkansas National Guard Fort Chaffee Joint
33 Maneuver Training Center;

34 (B) Sheriff or deputy sheriff of a county in this state
35 who is engaged in official duty; or

36 (C) Constable or night marshal of a town in this state who

1 is engaged in official duty;

2 (5) "Public employer" means the state, a political subdivision
3 of the state, or a city of the first class, a city of the second class, or an
4 unincorporated town of the state;

5 (6) "Public safety employee" means an employee of a public
6 employer who is a:

7 (A) Probation officer;

8 (B) Surveillance officer;

9 (C) Adult or juvenile detention officer;

10 (D) Police officer; or

11 (E) Firefighter; and

12 (7) "Traumatic event" means a public safety employee's exposure
13 in the line of duty to an incident involving:

14 (A) The extraordinary traumatic bodily injury or death of
15 a person;

16 (B) The serious injury, death, abuse, or exploitation of a
17 minor;

18 (C) An immediate threat to the life of the public safety
19 employee or another person; or

20 (D) A mass casualties event.

21 (b)(1) Except as provided in subsection (e) of this section, a public
22 employer that employs a public safety employee shall provide coverage for
23 licensed counseling for a public safety employee who has experienced a
24 traumatic event.

25 (2)(A) The coverage required under subdivision (b)(1) of this
26 section shall include coverage for a public safety employee to participate in
27 up to twelve (12) licensed counseling visits in a calendar year in which the
28 public safety employee experiences a traumatic event, regardless of the
29 number of traumatic events experienced by the public safety employee during
30 the calendar year.

31 (B)(i) Except as provided in subdivision (b)(2)(B)(ii) of
32 this section, if a public safety employee begins receiving licensed
33 counseling for which coverage is required under this section on or after July
34 1 in a year, any licensed counseling visits to which the public safety
35 employee is entitled under this section that the public safety employee does
36 not use before the end of the calendar year may be carried over to the

1 following calendar year.

2 (ii) A public safety employee shall not receive more
3 than eighteen (18) covered licensed counseling visits under this section in a
4 calendar year.

5 (C) Licensed counseling allowed under this section may be
6 provided through telehealth.

7 (c)(1)(A) A public employer shall pay for all licensed counseling
8 allowed under this section.

9 (B) A public employer shall pay a licensed mental health
10 professional an amount not to exceed the deductibles and conditions under the
11 public safety employee's current health benefit plan.

12 (C) A public safety employee shall provide documentation
13 to substantiate the amount billed to the public safety employee for licensed
14 counseling under the public safety employee's current health benefit plan.

15 (2) Payment by a public employer for licensed counseling under
16 this section does not create a presumption that a claim is compensable under
17 § 11-9-113 or § 11-9-114.

18 (d)(1) Except as provided in subdivision (d)(2) of this section, a
19 public employer shall allow a public safety employee to select the licensed
20 mental health professional who will provide the licensed counseling allowed
21 under this section.

22 (2) If a licensed mental health professional declines to provide
23 licensed counseling to a public safety employee under this section, the
24 public employer that employs the public safety employee is not required to
25 secure the services of that licensed mental health professional.

26 (e) A public employer may satisfy the requirements of this section
27 through its creation of or participation in a program that:

28 (1) Provides licensed counseling that meets the requirements of
29 this section; and

30 (2) Requires the public employer to provide coverage for
31 licensed counseling as required under this section.

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33 SECTION 2. EMERGENCY CLAUSE. It is found and determined by the General
34 Assembly of the State of Arkansas that Acts 2023, No. 537, required public
35 employers to provide coverage for licensed counseling for public safety
36 employees who experience a traumatic event in the course of their duties;

1 that Acts 2023, No. 537, expired on January 1, 2025, leaving no requirement
 2 in place for public employers to provide coverage for licensed counseling for
 3 public safety employees who experience a traumatic event in the course of
 4 their duties; that it is in the best interest of the state to provide mental
 5 health support for public safety employees who experience traumatic events in
 6 the course of their duties; that mental health services for public safety
 7 employees is important to the public peace, health, and safety as the state
 8 relies on these employees to respond appropriately in an emergency; and that
 9 this act is immediately necessary because coverage for licensed counseling
 10 for public safety employees who experience a traumatic event in the course of
 11 their duties is essential to the continued service of these public safety
 12 employees to ensure the public peace, health, and safety. Therefore, an
 13 emergency is declared to exist, and this act being immediately necessary for
 14 the preservation of the public peace, health, and safety shall become
 15 effective on:

16 (1) The date of its approval by the Governor;

17 (2) If the bill is neither approved nor vetoed by the Governor,
 18 the expiration of the period of time during which the Governor may veto the
 19 bill; or

20 (3) If the bill is vetoed by the Governor and the veto is
 21 overridden, the date the last house overrides the veto.

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 23 /s/Wing
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 26 **APPROVED: 3/25/25**
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