SENATE DOCKET, NO. 1154 FILED ON: 1/18/2013

SENATE . . . . . No. 834

The Commonwealth of Massachusetts

PRESENTED BY:

James E. Timilty

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying:

An Act relative to critical incident intervention by emergency service providers.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
James E. Timilty	*Bristol and Norfolk*

SENATE DOCKET, NO. 1154 FILED ON: 1/18/2013

SENATE . . . . . No. 834

By Mr. Timilty, a petition (accompanied by bill, Senate, No. 834) of James E. Timilty for legislation relative to critical incident intervention by emergency service providers. The Judiciary.

The Commonwealth of Massachusetts

An Act relative to critical incident intervention by emergency service providers.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

Chapter 268 of the General Laws is hereby amended by adding at the end thereof the following new section:-

Section 41 Emergency service critical incident providers confidentiality

(a) As used in this act, the following words shall, unless the context clearly requires otherwise, have the following meanings:-

"Critical Incident" means an event (or events) that results in acute or cumulative psychological stress or trauma to an emergency service provider as a result of response to the incident.

"Emergency Service Provider" means any law enforcement officer, civilian law enforcement employees such as emergency dispatchers, sheriff or deputy sheriffs, state police, firefighters, and emergency medical personnel.

"Critical Incident stress management" means a process of crisis intervention designed to assist emergency service personnel in coping with the psychological trauma resulting from response to a critical incident.

"Critical Incident stress management and crisis intervention services" means consultation, counseling, debriefing, defusing, intervention services, management, prevention, and referral provided by a critical incident management team member or participant.

"Critical Incident stress management team" means the group of one or more trained volunteers or participants who offer critical incident stress management and response services following a critical incident.

21 “Critical Incident stress management team member” or “team member” means an
22 individual specially trained to provide critical incident stress management and response services
23 as a member of an organized and registered team. The “Team” will be registered with ICISF and
24 maintain training standards to date as required. Team members shall consist of but not limited to
25 law enforcement officers, firefighters, or medical services providers. All members sworn and
26 civilian shall be designated by the police chief, or sheriff, or commander of the state police, or
27 fire chief, or director of emergency services.

28 (b) Except as provided under the exceptions of confidentiality in subsections a, b, and c,
29 no person, whether critical incident stress management team member, team leader or other
30 participant providing or receiving crisis intervention shall be required to testify or divulge any
31 information obtained solely through such crisis intervention and any information divulged to the
32 team or a team member during the provision of a critical incident intervention service must be
33 kept confidential and may not be disclosed to a third party unless (1) the communication
34 indicates the existence of a danger to the individual who receives crisis response services or to
35 any other person or persons (2) the communication indicates the existence of past child abuse or
36 neglect of the individual, abuse of an adult as defined by law, or family violence as defined by
37 law (3) the communication indicates the existence of past or present acts constituting an
38 intentional tort or crime, provided the applicable statute of limitation has not expired on the act
39 indicated.