

HOUSE No. 2205

The Commonwealth of Massachusetts

PRESENTED BY:

Martin J. Walsh

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 adoption of the accompanying bill:

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

PETITION OF:

NAME:

Martin J. Walsh

DISTRICT/ADDRESS:

13th Suffolk

HOUSE No. 2205

By Mr. Walsh of Boston, a petition (accompanied by bill, House, No. 2205) of Martin J. Walsh relative to critical incident intervention by emergency service providers. Public Safety and Homeland Security.

The Commonwealth of Massachusetts

In the Year Two Thousand Thirteen

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:

1 SECTION 1 The general Laws are hereby amended by adding the following chapter:
2 Chapter 148B“ EMERGENCY SERVICE CRITICAL INCIDENT PROVIDERS
3 CONFIDENTIALITY

4 Section 2. Definitions:

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

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

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

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

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

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

27 Section 3.

28 Except as provided under the exceptions of confidentiality in subsections (2a), (2b), (2c),
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:

34 (3a) the communication indicates the existence of a danger to the individual who
35 receives crisis response services or to any other person or person:

36 (3b) the communication indicates the existence of past child abuse or neglect of the
37 individual, abuse of an adult as defined by law, or family violence as defined by law:

38 (3c) the communication indicates the existence of past or present acts constituting an
39 intentional tort or crime, provided the applicable statute of limitation has not expired on the act
40 indicated