

SENATE No. 1321

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 adoption of the accompanying bill:

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

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
<i>James E. Timilty</i>	<i>Bristol and Norfolk</i>	
<i>Paul McMurtry</i>	<i>11th Norfolk</i>	
<i>John F. Keenan</i>	<i>Norfolk and Plymouth</i>	<i>3/19/2015</i>
<i>Timothy R. Whelan</i>	<i>1st Barnstable</i>	<i>6/24/2015</i>

SENATE No. 1321

By Mr. Timilty, a petition (accompanied by bill, Senate, No. 1321) of James E. Timilty and Paul McMurtry for legislation relative to critical incident intervention by emergency service providers. Public Safety and Homeland Security.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. 834 OF 2013-2014.]

The Commonwealth of Massachusetts

**In the One Hundred and Eighty-Ninth General Court
(2015-2016)**

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 Chapter 268 of the General Laws is hereby amended by adding the following section:-

2 Section 41.(a) As used in this section, the following words shall have the following
3 meanings unless the context clearly requires otherwise:

4 “Abuse”, (i) causing or attempting to cause physical harm; (ii) placing another in fear of
5 imminent physical harm; or (iii) causing another to engage in sexual relations by force, threat of
6 force or coercion.

7 “Child abuse”, (i) physical or emotional injury on a person under 18 resulting from abuse
8 which causes harm or substantial risk of harm to the child's health or welfare, including sexual
9 abuse; or (ii) neglect, including malnutrition.

10 “Crisis intervention services”, consultation, counseling, debriefing, defusing, intervention
11 services, management, prevention and referral provided by a critical incident stress management
12 team member or participant.

13 “Critical incident”, an event that results in acute or cumulative psychological stress or
14 trauma to an emergency service provider as a result of the provider’s response to the event.

15 “Critical incident stress management”, a process of crisis intervention designed to assist
16 emergency service providers in coping with the psychological trauma resulting from response to
17 a critical incident, consistent with training standards established by the Massachusetts Peer
18 Support Network.

19 “Critical incident stress management team”, a trained volunteer or participant or a group
20 of trained volunteers or participants who offer critical incident stress management and crisis
21 intervention services following a critical incident.

22 “Critical incident stress management team member” or “team member”, an individual
23 specially trained to provide critical incident stress management and crisis intervention services as
24 a member of an organized and registered team; provided, however, that team member shall
25 include, but not be limited to, law enforcement officers, firefighters or emergency medical
26 services providers; and provided further, that team members, both sworn and civilian, shall be
27 designated by the colonel of state police or a sheriff or by a police chief, fire chief or director of
28 emergency services in a city or town.

29 “Emergency service provider”, a police officer or civilian law enforcement employee
30 including, but not limited to, an emergency dispatcher, sheriff, deputy sheriff, state police

31 officer, employee of the Massachusetts emergency management agency, permanent or volunteer
32 firefighter and permanent or volunteer emergency medical personnel.

33 (b) No critical incident stress management team member, team leader or other participant
34 who provides or receives critical incident stress management and crisis intervention services
35 shall be required to testify or divulge any information obtained solely through the provision of or
36 receipt of such services and any information divulged to the team or a team member during the
37 provision of critical incident stress management and crisis intervention services shall be kept
38 confidential and shall not be disclosed to a third party, except as provided in this section. A
39 critical incident stress management team member, team leader or other participant may disclose
40 such information if: (i) the information indicates the existence of a danger to the individual who
41 receives critical incident stress management or crisis intervention services or to any other person;
42 or (ii) the information indicates the existence of past child abuse upon the individual or abuse by
43 a family or household member as defined in section 1 of chapter 209A.