

SENATE No. 2633

The Commonwealth of Massachusetts

In the One Hundred and Ninetieth General Court
(2017-2018)

SENATE, July 26, 2018

The committee on Ways and Means to whom was referred the Senate Bill relative to critical incident intervention by emergency service providers (Senate, No. 1373),-- reports, recommending that the same ought to pass with an amendment substituting a new draft with the same title (Senate, No. 2633).

For the committee,
Joan B. Lovely

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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 7 of the General Laws is hereby amended by inserting after section 28B the
2 following section:-

3 Section 28C. As used in this section, the following words shall have the following
4 meanings unless the context clearly requires otherwise:-

5 “Crisis intervention services”, consultation, counseling, debriefing, defusing,
6 intervention services, management, harm prevention or referral provided by a critical incident
7 stress management team member to an emergency service provider.

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

10 “Critical incident stress management”, a process of crisis intervention designed to assist
11 emergency service providers in coping with the psychological stress or trauma resulting from a
12 critical incident, consistent with training standards established by the Massachusetts Peer
13 Support Network.

14 “Critical incident stress management team”, a trained volunteer or participant, or a group
15 of trained volunteers or participants, who offers critical incident stress management and crisis
16 intervention services following a critical incident.

17 “Critical incident stress management team member”, an individual trained to provide
18 critical incident stress management and crisis intervention services as a member of an organized
19 and registered team; provided, however, that such individual shall be designated by the colonel
20 of state police, a sheriff or a police chief, fire chief or director of emergency services in a city or
21 town.

22 “Emergency service provider”, a police officer or civilian law enforcement employee
23 including, but not limited to, an emergency dispatcher, sheriff, deputy sheriff, state police
24 officer, employee of the Massachusetts emergency management agency, permanent or volunteer
25 firefighter or permanent or volunteer emergency medical personnel.

26 (b) A critical incident stress management team member or emergency service provider
27 who provides or receives critical incident stress management and crisis intervention services as a
28 result of a critical incident shall not be required to testify or divulge any information obtained
29 solely through the provision of or receipt of such services. Information divulged to a critical
30 incident stress management team member during the provision of critical incident stress
31 management and crisis intervention services shall be kept confidential and shall not be disclosed
32 to a third party, unless the critical incident stress management team member, based on such
33 information, has reasonable cause to believe that: (i) the emergency service provider or another
34 person is in danger of serious bodily harm or death; (ii) a child is being subjected to or at risk of
35 abuse or neglect; or (iii) the information indicates the existence of a past or present act

36 constituting an intentional tort or crime; provided, however, that the tort or crime would not be
37 barred under the applicable statute of limitations.