

SENATE No.

The Commonwealth of Massachusetts

PRESENTED BY:

John J. Cronin

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 crisis intervention services for emergency service providers; confidentiality of information.

PETITION OF:

NAME:

John J. Cronin

DISTRICT/ADDRESS:

Worcester and Middlesex

SENATE No.

[Pin Slip]

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Fourth General Court
(2025-2026)**

An Act relative to crisis intervention services for emergency service providers; confidentiality of information.

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. Section 20O of chapter 233 of the General Laws, as appearing in the 2018
2 Official Edition, is hereby amended by striking out Section 20O, and inserting in place thereof
3 the following section:-

4 Section 1. Section 20O. (a) As used in this section, the following words shall, unless the
5 context clearly requires otherwise, have the following meanings:-

6 "Certified emergency service provider", an emergency service provider certified by the
7 Massachusetts Peer Support Network or International Critical Incident Stress Foundation, Inc.

8 "Confidential Information", is information transmitted in confidence by and between an
9 emergency service provider and a certified emergency service provider or licensed mental health
10 professional during the course of a critical incident stress management session by a means which
11 does not disclose the information to a person other than a person or persons participating in the
12 critical incident stress management session with the emergency service provider. The term

13 includes all information received by the certified emergency service provider or licensed mental
14 health professional during the critical incident stress management session.

15 "Crisis intervention", immediate short-term psychological care provided by a certified
16 emergency service provider providing critical incident stress management to an emergency
17 service provider after said emergency service provider's response to a critical incident.

18 "Crisis intervention services", consultation, counseling, debriefing, defusing, intervention
19 services, prevention or referral.

20 "Critical incident", an event resulting in psychological stress or trauma to an emergency
21 service provider as a result of said emergency service provider's response to the incident.

22 "Critical incident stress management", a program designed to assist an emergency service
23 provider in coping with the psychological stress or trauma resulting from said emergency service
24 providers response to a critical incident.

25 "Emergency service provider", an active or retired law enforcement officer, police officer,
26 state police trooper, sheriff or deputy sheriffs, firefighter, or emergency medical personnel.

27 "Secretary", the secretary of the executive office of public safety and homeland security.

28 (b) Information provided by an emergency service provider to a certified emergency
29 service provider or licensed mental health professional as part of crisis intervention services
30 provided by the certified emergency service provider or licensed mental health professional to
31 the emergency service provider either individually or as part of a group shall be confidential and
32 shall not be disclosed to a third party, except as provided by subsection (e).

33 (c) An emergency service provider has a privilege to refuse to disclose, and to prevent
34 others from disclosing, confidential communications made during a critical incident stress
35 management session for the purpose of lessening the impact of an event, accelerating their own
36 normal coping abilities, and helping to prevent the development of post traumatic stress disorder,
37 as follows:

38 (1) between the emergency service provider and the certified emergency service provider
39 or licensed mental health professional;

40 (2) between other emergency service providers participating in a group critical incident
41 stress management session and the certified emergency service provider or licensed mental
42 health professional.

43 (d) The privilege may be claimed by the emergency service provider, the emergency
44 service provider's guardian or conservator, or the personal representative of a deceased
45 emergency service provider as the case may be at the time the privilege is claimed.

46 (e) Subsection (b) shall not apply to information provided by an emergency service
47 provider to a certified emergency service provider or licensed mental health professional as part
48 of crisis intervention services provided by the certified emergency service provider or licensed
49 mental health professional to the emergency service provider if:

50 (i) the certified emergency service provider or licensed mental health professional
51 providing crisis intervention services has reasonable cause to believe that the emergency service
52 provider receiving the crisis intervention services is in need of treatment in a hospital for mental
53 or emotional illness or that there is a threat of imminently dangerous activity by the emergency

54 service provider receiving the crisis intervention services against himself or herself or another
55 person;

56 (ii) the certified emergency service provider or licensed mental health professional
57 providing crisis intervention services has reasonable cause to believe that the emergency service
58 provider receiving the crisis intervention services has engaged in conduct required to be reported
59 pursuant to section 51A of chapter 119;

60 (iii) the certified emergency service provider or licensed mental health professional
61 providing crisis intervention services has reasonable cause to believe that the emergency service
62 provider receiving the crisis intervention services has engaged in conduct in violation of any
63 federal or state law;

64 (iv) the certified emergency service provider or licensed mental health professional
65 providing crisis intervention services has reasonable cause to believe that the emergency service
66 provider receiving the crisis intervention services has admitted to criminal conduct;

67 (v) the certified emergency service provider or licensed mental health professional
68 providing crisis intervention services has reasonable cause to believe that the emergency service
69 provider receiving the crisis intervention services has admitted to conduct that constitutes a
70 violation of the laws that are normally enforced by the entity for which the emergency service
71 provider receiving the crisis intervention services is employed;

72 (vi) the certified emergency service provider or licensed mental health professional
73 providing crisis intervention services was an initial emergency service responder, a witness, or a
74 party to the critical incident that prompted an emergency service provider to engage in crises
75 intervention services; or

76 (vii) the emergency service provider receiving the crisis intervention services waives
77 confidentiality and gives express consent for the certified emergency service provider or licensed
78 mental health professional to testify or the emergency service provider receiving the crisis
79 intervention services otherwise divulges information related to such services to any third party.

80 (d) An emergency service provider who provides crisis intervention services to
81 emergency service providers pursuant to this section shall: (i) be certified by the Massachusetts
82 Peer Support Network or International Critical Incident Stress Foundation, Inc.; (ii) provide
83 documentation of such certification to their employer; and (iii) annually provide their employer
84 with proof of such certification.

85 An entity employing a certified emergency service provider shall maintain the
86 documentation provided by the employee under this subsection of the employee's certification by
87 the Massachusetts Peer Support Network or the International Critical Incident Stress Foundation,
88 Inc. Such documentation shall be made available at the request of the secretary.

89 (e) If an entity employing a certified emergency service provider determines that an
90 employee has violated this section, the entity shall promptly notify in writing the Massachusetts
91 Peer Support Network and or the International Critical Incident Stress Foundation, Inc. of the
92 violation. An employee that violates this section shall be considered decertified and shall not be
93 eligible to provide crisis intervention services as a certified emergency service provider for a
94 period of 5 years.