

Chapter 152

(Senate Bill 446)

AN ACT concerning

Public Safety – Fire, Rescue, or Emergency Medical Services Entities – Peer Support Programs

FOR the purpose of establishing certain confidentiality requirements for peer support counseling programs for fire, rescue, or emergency medical services entities; requiring the Behavioral Health Administration, in consultation with the Maryland Institute for Emergency Medical Services Systems, to issue a report on certain best practices relating to peer support counseling for fire, rescue, or emergency medical services entities and to make certain information regarding peer support counseling publicly available on the Administration’s website; and generally relating to peer support programs for fire, rescue, or emergency medical services entities.

BY adding to

Article – Public Safety

Section 7–404

Annotated Code of Maryland

(2018 Replacement Volume and 2021 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
That the Laws of Maryland read as follows:

Article – Public Safety

7–404.

(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) “PEER SUPPORT COUNSELING PROGRAM” MEANS A PROGRAM PROVIDED BY A FIRE, RESCUE, OR EMERGENCY MEDICAL SERVICES ENTITY OR THE INTERNATIONAL ASSOCIATION OF FIREFIGHTERS THAT PROVIDES COUNSELING SERVICES FROM A PEER SUPPORT SPECIALIST TO A MEMBER OF A FIRE, RESCUE, OR EMERGENCY MEDICAL SERVICES ENTITY.

(3) “PEER SUPPORT SPECIALIST” MEANS A MEMBER OF A FIRE, RESCUE, OR EMERGENCY MEDICAL SERVICES ENTITY OR THE INTERNATIONAL ASSOCIATION OF FIREFIGHTERS WHO:

(I) HAS RECEIVED TRAINING IN PEER SUPPORT COUNSELING AND PROVIDING EMOTIONAL AND MORAL SUPPORT TO MEMBERS OF FIRE, RESCUE,

OR EMERGENCY MEDICAL SERVICES ENTITIES WHO HAVE BEEN INVOLVED IN OR EXPOSED TO AN EMOTIONALLY TRAUMATIC EXPERIENCE IN THE COURSE OF DUTY AS A MEMBER OF A FIRE, RESCUE, OR EMERGENCY MEDICAL SERVICES ENTITY; AND

(II) IS DESIGNATED BY THE FIRE, RESCUE, OR EMERGENCY MEDICAL SERVICES ENTITY TO PROVIDE THE SERVICES DESCRIBED IN ITEM (I) OF THIS PARAGRAPH.

(B) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, A PEER SUPPORT SPECIALIST OR PEER SUPPORT PARTICIPANT MAY NOT DISCLOSE THE CONTENTS OF ANY WRITTEN OR ORAL COMMUNICATION REGARDING A PEER SUPPORT COUNSELING SESSION.

(2) PARAGRAPH (1) OF THIS SUBSECTION DOES NOT APPLY IF:

(I) THE COMMUNICATION CONTAINS:

1. AN EXPLICIT THREAT OF SUICIDE, THE DISCLOSURE OF WHICH THE PEER SUPPORT SPECIALIST BELIEVES IS NECESSARY TO AVOID A SUICIDE ATTEMPT;

2. AN EXPLICIT THREAT OF IMMINENT AND SERIOUS BODILY HARM OR DEATH TO A CLEARLY IDENTIFIED OR IDENTIFIABLE INDIVIDUAL;

3. INFORMATION RELATING TO THE ABUSE OR NEGLECT OF A CHILD OR VULNERABLE ADULT, OR ABUSE OR NEGLECT THAT IS OTHERWISE REQUIRED TO BE REPORTED BY LAW; OR

4. THE ADMISSION OF CRIMINAL CONDUCT;

(II) THE DISCLOSURE IS AUTHORIZED BY EACH PEER SUPPORT PARTICIPANT WHO WAS A PARTY TO THE COMMUNICATION; OR

(III) A COURT OF COMPETENT JURISDICTION ISSUES AN ORDER OR SUBPOENA REQUIRING THE DISCLOSURE OF THE COMMUNICATION.

(3) BEFORE THE INITIAL PEER SUPPORT COUNSELING SESSION WITH A PEER SUPPORT PARTICIPANT, A PEER SUPPORT SPECIALIST SHALL INFORM THE PEER SUPPORT PARTICIPANT IN WRITING OF THE CONFIDENTIALITY PROVISIONS IN THIS SUBSECTION.

(C) (1) ON OR BEFORE OCTOBER 1, 2024, THE BEHAVIORAL HEALTH ADMINISTRATION, IN CONSULTATION WITH THE MARYLAND INSTITUTE FOR

EMERGENCY MEDICAL SERVICES SYSTEMS, SHALL DEVELOP A REPORT ON BEST PRACTICES AND PROFESSIONAL STANDARDS FOR PEER SUPPORT COUNSELING PROGRAMS, INCLUDING:

(I) GUIDELINES FOR ESTABLISHING AND OPERATING PEER SUPPORT COUNSELING PROGRAMS;

(II) GUIDELINES FOR TRAINING AND CERTIFYING PEER SUPPORT SPECIALISTS;

(III) A CODE OF ETHICS FOR PEER SUPPORT SPECIALISTS;

(IV) RECOMMENDATIONS FOR CONTINUING EDUCATION FOR PEER SUPPORT SPECIALISTS;

(V) SUGGESTIONS ON DISCLOSING CONFIDENTIALITY RIGHTS TO ANY POTENTIAL PEER SUPPORT PARTICIPANTS;

(VI) INFORMATION ON THE DIFFERENT TYPES OF PEER SUPPORT COUNSELING PROGRAMS USED BY FIRE, RESCUE, OR EMERGENCY MEDICAL SERVICES ENTITIES;

(VII) INFORMATION REGARDING ANY DIFFERENCES IN THE TYPES OF PEER SUPPORT COUNSELING PROGRAMS OFFERED BETWEEN EACH TYPE OF ENTITY; AND

(VIII) INFORMATION ON THE ROLE OF SENIOR MEMBERS OF FIRE, RESCUE, OR EMERGENCY MEDICAL SERVICES ENTITIES IN SUPPORTING ACCESS TO MENTAL HEALTH RESOURCES.

(2) FOLLOWING THE COMPLETION OF THE REPORT REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION, THE BEHAVIORAL HEALTH ADMINISTRATION SHALL MAKE THE FOLLOWING INFORMATION PUBLICLY AVAILABLE ON THE ADMINISTRATION'S WEBSITE:

(I) THE PUBLISHED REPORT; AND

(II) A LIST OF PEER SUPPORT SPECIALIST TRAINING PROGRAMS.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2022.

Approved by the Governor, April 21, 2022.