

# HOUSE BILL 581

E4

2lr2953  
CF SB 446

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By: **Delegates P. Young, Ebersole, Hornberger, and Patterson**

Introduced and read first time: January 31, 2022

Assigned to: Health and Government Operations

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Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 12, 2022

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

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

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

12 BY adding to  
13 Article – Public Safety  
14 Section 7–404  
15 Annotated Code of Maryland  
16 (2018 Replacement Volume and 2021 Supplement)

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

19 **Article – Public Safety**

20 **7–404.**

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



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

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

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

11                   **(I) HAS RECEIVED TRAINING IN PEER SUPPORT COUNSELING**  
12 **AND PROVIDING EMOTIONAL AND MORAL SUPPORT TO MEMBERS OF FIRE, RESCUE,**  
13 **OR EMERGENCY MEDICAL SERVICES ENTITIES WHO HAVE BEEN INVOLVED IN OR**  
14 **EXPOSED TO AN EMOTIONALLY TRAUMATIC EXPERIENCE IN THE COURSE OF DUTY**  
15 **AS A MEMBER OF A FIRE, RESCUE, OR EMERGENCY MEDICAL SERVICES ENTITY; AND**

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

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

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

24                   **(I) THE COMMUNICATION CONTAINS:**

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

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

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

33                           **4. THE ADMISSION OF CRIMINAL CONDUCT;**

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

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

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

9                   (c) (1) ON OR BEFORE OCTOBER 1, 2024, THE BEHAVIORAL HEALTH  
10 ADMINISTRATION, IN CONSULTATION WITH THE MARYLAND INSTITUTE FOR  
11 EMERGENCY MEDICAL SERVICES SYSTEMS, SHALL DEVELOP A REPORT ON BEST  
12 PRACTICES AND PROFESSIONAL STANDARDS FOR PEER SUPPORT COUNSELING  
13 PROGRAMS, INCLUDING:

14                   (i) GUIDELINES FOR ESTABLISHING AND OPERATING PEER  
15 SUPPORT COUNSELING PROGRAMS;

16                   (ii) GUIDELINES FOR TRAINING AND CERTIFYING PEER  
17 SUPPORT SPECIALISTS;

18                   (iii) A CODE OF ETHICS FOR PEER SUPPORT SPECIALISTS;

19                   (iv) RECOMMENDATIONS FOR CONTINUING EDUCATION FOR  
20 PEER SUPPORT SPECIALISTS;

21                   (v) SUGGESTIONS ON DISCLOSING CONFIDENTIALITY RIGHTS  
22 TO ANY POTENTIAL PEER SUPPORT PARTICIPANTS;

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

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

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

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

5                               **(I) THE PUBLISHED REPORT; AND**

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

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

Approved:

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Governor.

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Speaker of the House of Delegates.

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President of the Senate.