

SENATE BILL 446

E4

2lr1612
CF 2lr2953

By: **Senators Waldstreicher, King, Elfreth, and Smith**

Introduced and read first time: January 27, 2022

Assigned to: Judicial Proceedings

A BILL ENTITLED

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 to issue a report on certain best
7 practices relating to peer support counseling for fire, rescue, or emergency medical
8 services entities and to make certain information regarding peer support counseling
9 publicly available on the Administration’s website; and generally relating to peer
10 support programs for fire, rescue, or emergency medical services entities.

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

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

18 **Article – Public Safety**

19 **7–404.**

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

22 **(2) “PEER SUPPORT COUNSELING PROGRAM” MEANS A PROGRAM**
23 **PROVIDED BY A FIRE, RESCUE, OR EMERGENCY MEDICAL SERVICES ENTITY OR THE**
24 **INTERNATIONAL ASSOCIATION OF FIREFIGHTERS THAT PROVIDES COUNSELING**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 SERVICES FROM A PEER SUPPORT SPECIALIST TO A MEMBER OF A FIRE, RESCUE, OR
2 EMERGENCY MEDICAL SERVICES ENTITY.

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

6 (I) HAS RECEIVED TRAINING IN PEER SUPPORT COUNSELING
7 AND PROVIDING EMOTIONAL AND MORAL SUPPORT TO MEMBERS OF FIRE, RESCUE,
8 OR EMERGENCY MEDICAL SERVICES ENTITIES WHO HAVE BEEN INVOLVED IN OR
9 EXPOSED TO AN EMOTIONALLY TRAUMATIC EXPERIENCE IN THE COURSE OF DUTY
10 AS A MEMBER OF A FIRE, RESCUE, OR EMERGENCY MEDICAL SERVICES ENTITY; AND

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

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

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

19 (I) THE COMMUNICATION CONTAINS:

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

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

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

28 4. THE ADMISSION OF CRIMINAL CONDUCT;

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

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

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

7 (C) (1) ON OR BEFORE OCTOBER 1, 2024, THE BEHAVIORAL HEALTH
8 ADMINISTRATION SHALL DEVELOP A REPORT ON BEST PRACTICES AND
9 PROFESSIONAL STANDARDS FOR PEER SUPPORT COUNSELING PROGRAMS,
10 INCLUDING:

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

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

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

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

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

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

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

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

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

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

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

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