

UNOFFICIAL COPY OF HOUSE BILL 736

HOUSE BILL 736

E4, P4

0lr1500  
CF 0lr2131

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By: **Delegates Brooks, Bagnall, D. Barnes, Carey, Charkoudian, Corderman,  
Haynes, Hettleman, C. Jackson, R. Lewis, McComas, Metzgar, Proctor, Qi,  
Valderrama, and P. Young**

Introduced and read first time: January 30, 2020

Assigned to: Judiciary

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A BILL ENTITLED

1 AN ACT concerning

2 **Police Officers - Mental Health - Employee Assistance Programs**

3 FOR the purpose of requiring each law enforcement agency to develop and implement a  
4 certain program to protect the mental health of police officers; establishing certain  
5 requirements for a certain program; requiring each law enforcement agency to  
6 develop ~~standards for annual assessments of a certain program for a certain purpose~~ a policy to  
minimize certain costs to police officers;  
7 defining certain terms; and generally relating to the mental health of police officers.

8 BY adding to

9 Article - Public Safety  
10 Section 3-522  
11 Annotated Code of Maryland  
12 (2018 Replacement Volume and 2019 Supplement)

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

15 **Article - Public Safety**

16 **3-522.**

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

**(2) "EMPLOYEE ASSISTANCE PROGRAM" MEANS A WORK-BASED  
PROGRAM OFFERED TO ALL POLICE OFFICERS THAT PROVIDES ACCESS TO VOLUNTARY AND  
CONFIDENTIAL SERVICES TO ADDRESS THE MENTAL HEALTH ISSUES OF A POLICE OFFICER  
STEMMING FROM PERSONAL AND WORK-RELATED CONCERNS, INCLUDING STRESS, FINANCIAL  
ISSUES, LEGAL ISSUES, FAMILY PROBLEMS, OFFICE CONFLICTS, AND ALCOHOL AND SUBSTANCE  
ABUSE DISORDERS.**

19 ~~(2)~~ **(3) "LAW ENFORCEMENT AGENCY" HAS THE MEANING STATED IN §**  
20 **3-201 OF THIS TITLE.**

21 ~~(3)~~ **(4) "POLICE OFFICER" HAS THE MEANING STATED IN § 3-201 OF THIS**

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1 TITLE.

2 (B) EACH LAW ENFORCEMENT AGENCY SHALL ~~DEVELOP AND IMPLEMENT~~ PROVIDE ACCESS TO  
 3 AN EMPLOYEE ASSISTANCE PROGRAM OR MENTAL HEALTH PROGRAM FOR ALL POLICE OFFICERS THAT THE  
 4 LAW  
 5 ENFORCEMENT AGENCY EMPLOYS.

6 (C) THE EMPLOYEE ASSISTANCE PROGRAM REQUIRED BY THIS SECTION  
 7 SHALL PROVIDE POLICE OFFICERS ACCESS TO CONFIDENTIAL ~~LOW OR NO COST~~  
 8 MENTAL HEALTH SERVICES, INCLUDING:

9 (1) COUNSELING SERVICES;

10 (2) CRISIS COUNSELING;

11 (3) STRESS MANAGEMENT COUNSELING;

12 (4) MENTAL HEALTH EVALUATIONS; AND

13 (5) PEER SUPPORT SERVICES FOR POLICE OFFICERS.

14 (D) ~~AS IN ADDITION TO THE REQUIREMENTS OF § 3-516 OF THIS SUBTITLE, AS PART OF~~  
 15 THE EMPLOYEE ASSISTANCE PROGRAM REQUIRED BY THIS  
 16 SECTION, EACH LAW ENFORCEMENT AGENCY SHALL PROVIDE TO ALL POLICE  
 17 OFFICERS THE AGENCY EMPLOYS A VOLUNTARY MENTAL HEALTH ~~EVALUATION~~ CONSULTATION OR COUNSELING  
 18 SERVICES  
 19 BEFORE THE POLICE OFFICER RETURNS TO FULL DUTY FOLLOWING ANY INCIDENT  
 20 INVOLVING:

21 (1) A SERIOUS INJURY TO THE POLICE OFFICER;

22 (2) AN OFFICER-INVOLVED SHOOTING;

23 (3) AN ACCIDENT RESULTING IN A FATALITY; OR

24 (4) ANY USE OF FORCE RESULTING IN A FATALITY OR SERIOUS  
 25 INJURY.

26 (E) THE EMPLOYEE ASSISTANCE PROGRAM REQUIRED BY THIS SECTION  
 27 SHALL INCLUDE A COMPONENT DESIGNED TO PROTECT THE MENTAL HEALTH OF  
 28 POLICE OFFICERS DURING PERIODS OF PUBLIC DEMONSTRATIONS AND UNREST.

29 (F) EACH LAW ENFORCEMENT AGENCY SHALL DEVELOP ~~STANDARDS FOR~~  
 30 ~~ANNUAL ASSESSMENTS OF THE AGENCY'S EMPLOYEE ASSISTANCE PROGRAM TO~~  
 31 ~~IDENTIFY DEFICIENCIES AND AREAS FOR IMPROVEMENT~~ A POLICY TO PROVIDE ACCESS TO THE SERVICES  
 32 REQUIRED BY THIS SECTION AT MINIMAL COST TO A POLICE OFFICER.

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1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
2 October 1, 2020.