

MAINE STATE LEGISLATURE

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Date: 3/17/22

(Filing No. H-810)

Majority
CRIMINAL JUSTICE AND PUBLIC SAFETY

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
130TH LEGISLATURE
SECOND REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 1114, L.D. 1504, "An Act To Enhance Use of Critical Incident Stress Management Teams for Firefighters"

Amend the bill by striking out the title and substituting the following:

'An Act To Enhance Use of Critical Incident Stress Management Teams for Firefighters and for Employees and Members of a Public Safety Agency, a Fire Department or an Agency Involved in Emergency Care or Response'

Amend the bill by inserting after section 1 the following:

'Sec. 2. 25 MRSA §4201, sub-§1-A, as enacted by PL 2019, c. 89, §2, is amended to read:

1-A. Critical incident stress management peer support. "Critical incident stress management peer support" means services provided to an employee or member of a public safety agency, a fire department or an organization involved in emergency care or response, a corrections officer as defined in section 2801-A, subsection 2, a firefighter or an employee of a county jail or a detention or correctional facility operated by the Department of Corrections when that person has been involved in a critical incident that can reasonably have a devastating, long-lasting effect on that person. "Critical incident stress management peer support" includes assisting the employee, member, firefighter or officer to appropriately process the trauma and stress and connecting that person to appropriate resources.'

Amend the bill by inserting after section 4 the following:

'Sec. 5. 25 MRSA §4202, sub-§1, as amended by PL 2019, c. 89, §6, is further amended to read:

1. Information confidential. Except as provided in subsection 2, all proceedings, communications and records, including, but not limited to, information concerning the identity of a person seeking or being furnished assistance, connected in any way with the work of a critical incident stress management team, including critical incident stress management peer support persons, are confidential and are not subject to compulsory legal

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1 process or otherwise discoverable or admissible in evidence in any civil action unless the
2 confidentiality is waived by the ~~affected person~~ person seeking or receiving assistance.
3 Statistical data not identifying a person seeking or receiving the assistance of a critical
4 incident stress management team must be made available for statistical evaluation and may
5 not be made available for any other purpose.'

6 Amend the bill by striking out all of section 5 and inserting the following:

7 'Sec. 5. 25 MRSA §4203 is enacted to read:

8 **§4203. Critical incident stress management services**

9 **1. Definitions.** As used in this section, unless the context otherwise indicates, the
10 following terms have the following meanings.

11 A. "Affected person" means a firefighter or employee or member of a provider.

12 B. "Provider" means a public safety agency, fire department or organization involved
13 in emergency care or response in the State.

14 **2. Critical incident stress management services.** The commissioner shall ensure
15 that critical incident stress management team services are available to all affected persons,
16 including by:

17 A. Supporting the establishment of a critical incident stress management team for
18 every provider or through a collaboration of more than one provider;

19 B. Providing critical incident stress management team services for every provider that
20 does not have a critical incident stress management team;

21 C. Establishing a program for critical incident stress management training for at least
22 one firefighter in every fire department and at least one employee or member of every
23 public safety agency or organization involved in emergency care or response;

24 D. Beginning July 1, 2023 and as part of preservice and in-service training under
25 chapter 341, providing educational, training and promotional programs and materials,
26 including, but not limited to, programs and materials related to trauma, to all affected
27 persons to increase awareness of or provide support for critical incident stress
28 management team services; and

29 E. Providing access to behavioral health care services for all affected persons
30 immediately after a traumatic event in which the affected person or provider has
31 provided care, response or services.

32 **3. Access to critical incident stress management training and behavioral health**
33 **care.** A provider shall employ or have as an active member at least one person who has
34 received critical incident stress management training pursuant to subsection 2, paragraph
35 C, shall provide education and access to ongoing behavioral health care services related to
36 any post-traumatic stress resulting from a critical incident experienced by an affected
37 person and shall, within existing department resources, maintain a critical incident stress
38 management team, which may include collaboration with another provider.

39 **4. Collaboration; implementation.** The commissioner shall collaborate with the
40 Department of Defense, Veterans and Emergency Management, Maine Emergency
41 Management Agency, a nonprofit organization representing professional firefighters in the
42 State and other governmental and nonprofit organizations that have an interest in law

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1 enforcement, firefighting, emergency care or response or emergency management or stress
2 management in carrying out the purposes of this section. The commissioner shall designate
3 a full-time employee to oversee the implementation of this section, including, but not
4 limited to, assisting with rulemaking and coordination among providers. In overseeing
5 implementation of this section, the department shall, to the extent appropriate, contract for
6 training and ancillary services with employee organizations of providers that have
7 experience and expertise in providing such training and services.

8 5. Rules. The commissioner may adopt rules to carry out the purposes of this section.
9 Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5,
10 chapter 375, subchapter 2-A.'

11 Amend the bill by inserting after section 5 the following:

12 'Sec. 6. Appropriations and allocations. The following appropriations and
13 allocations are made.

14 **PUBLIC SAFETY, DEPARTMENT OF**

15 **Administration - Public Safety 0088**

16 Initiative: Provides funding for one Public Service Manager I position and related costs to
17 implement and administer a critical incident stress management program.

18	GENERAL FUND	2021-22	2022-23
19	POSITIONS - LEGISLATIVE COUNT	0.000	1.000
20	Personal Services	\$0	\$80,861
21	All Other	\$0	\$5,000
22			
23	GENERAL FUND TOTAL	\$0	\$85,861

24
25 Amend the bill by relettering or renumbering any nonconsecutive Part letter or section
26 number to read consecutively.

27 **SUMMARY**

28 This amendment is the majority report of the committee. The amendment provides a
29 new title to reflect that the amendment broadens the provisions of the bill from application
30 to fire departments to application to public safety agencies, fire departments and
31 organizations involved in emergency care and response. The amendment adds provisions
32 for training and education related to trauma, preservice and in-service training, behavioral
33 health care services and, to the extent appropriate, contracting for training and ancillary
34 services with employee organizations of public safety agencies, fire departments and
35 organizations involved in emergency care or response that have experience and expertise
36 in providing such training and services. The amendment adds a staff person in the
37 Department of Public Safety to oversee implementation and appropriates funding for that
38 position. It also makes other technical changes.

39 **FISCAL NOTE REQUIRED**
40 (See attached)

COMMITTEE AMENDMENT



130th MAINE LEGISLATURE

LD 1504

LR 1933(02)

An Act To Enhance Use of Critical Incident Stress Management Teams for Firefighters

Fiscal Note for Bill as Amended by Committee Amendment "A" (H-810)

Committee: Criminal Justice and Public Safety

Fiscal Note Required: Yes

Fiscal Note

	FY 2021-22	FY 2022-23	Projections FY 2023-24	Projections FY 2024-25
Net Cost (Savings)				
General Fund	\$0	\$85,861	\$88,287	\$90,786
Appropriations/Allocations				
General Fund	\$0	\$85,861	\$88,287	\$90,786

Fiscal Detail and Notes

The bill includes a General Fund appropriation of \$85,861 in fiscal year 2022-23 for one Public Service Manager I position and related costs to implement and administer a critical incident stress management program.