

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 82ND LEGISLATIVE REGULAR SESSION**

**May 4, 2011**

**TO:** Honorable Tommy Williams, Chair, Senate Committee on Transportation & Homeland Security

**FROM:** John S O'Brien, Director, Legislative Budget Board

**IN RE: HB2040** by Hamilton (Relating to critical incident stress management and crisis response services.), **As Engrossed**

<b>No fiscal implication to the State is anticipated.</b>
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The bill would add Chapter 784 to Subtitle B, Title 9 of the Health and Safety Code to define crisis response service; critical incident stress; critical incident stress management service; emergency response team member; and emergency service provider.

The bill would specify criteria for meetings in which services are provided and the confidentiality of communications and records. A court in a civil or criminal case, or the decision-making entity in an administrative proceeding would be authorized to disclose a communication or record if the court or entity determines the benefit would be more important than protecting the privacy of the individual, and includes certain exceptions.

An emergency response team or team member would not be liable for damages, including personal injury, wrongful death, property damage, or other loss related to a team or team member's act, error or omission while providing services unless it constituted wanton, willful, or intentional misconduct. The bill would limit civil liability for damages arising from injury to physical or mental health.

The bill would take effect September 1, 2011.

**Local Government Impact**

No significant fiscal implication to units of local government is anticipated.

**Source Agencies:**

**LBB Staff:** JOB, KJG, ESi, JB