

By: Bailes

H.B. No. 751

A BILL TO BE ENTITLED

AN ACT

relating to establishment of the office of first responder support within the Bill Blackwood Law Enforcement Management Institute of Texas; requiring occupational certification.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subchapter D, Chapter 96, Education Code, is amended by adding Section 96.642 to read as follows:

Sec. 96.642. OFFICE OF FIRST RESPONDER SUPPORT. (a) In this section:

(1) "Critical incident support services" means services designed to provide compassionate or coping support to an individual who is involved in, a witness to, or otherwise affected by a traumatic event, including a series of events that results in a traumatic event.

(2) "First responder" has the meaning assigned by Section 421.095, Government Code.

(3) "Institute" means the Bill Blackwood Law Enforcement Management Institute of Texas.

(4) "Office" means the office of first responder support established by this section.

(5) "Peer counselor" means an individual who provides critical incident support services to a first responder as an:

(A) employee of the office; or

(B) employee or volunteer of a public agency.

1 (6) "President" means the president of Sam Houston
2 State University.

3 (7) "Public agency" has the meaning assigned by
4 Section 2257.002, Government Code.

5 (b) The president shall establish within the institute an
6 office of first responder support.

7 (c) The president shall appoint a support coordinator as the
8 administrative head of the office. The support coordinator may
9 also serve as a first responder or in another position within the
10 institute. The support coordinator must:

11 (1) have experience as a first responder;

12 (2) have successfully completed training in providing
13 emotional and moral support to first responders; and

14 (3) demonstrate a professional ability to provide
15 emotional and moral support to first responders.

16 (d) The office at the request of a public agency may respond
17 to and provide peer counselors and critical incident support
18 services to the agency and the agency's first responders who are
19 experiencing post-traumatic stress disorder or other trauma
20 associated with performing the duties of a first responder.

21 (e) The office shall establish a program for certifying
22 individuals to provide critical incident support services to first
23 responders and establish the qualifications necessary for
24 certification. An individual may not provide the support services
25 to a first responder as a peer counselor under this section unless
26 the individual:

27 (1) holds the certification required by this

1 subsection; and

2 (2) either:

3 (A) is an employee or volunteer of a public
4 agency and is designated by the executive head of the agency to
5 provide the support services to the agency's first responders; or

6 (B) is an employee of the office and provides the
7 support services to first responders of public agencies that
8 request assistance from the office.

9 (f) The office shall develop a training course on critical
10 incident stress management and other related matters for the
11 benefit of first responders.

12 (g) Except as provided by Subsection (h), communications
13 between a peer counselor and a first responder receiving critical
14 incident support services from the counselor are confidential and
15 privileged and may not be disclosed.

16 (h) The confidentiality and privilege provisions of
17 Subsection (g) do not apply if:

18 (1) disclosure is authorized by the first responder;

19 (2) the first responder is deceased and the disclosure
20 is authorized by:

21 (A) the executor or administrator of the first
22 responder's estate; or

23 (B) the first responder's next of kin if an
24 executor or administrator is not appointed;

25 (3) disclosure is compelled by a court order;

26 (4) the peer counselor was a first responder, witness,
27 or party to the incident that is the subject of the counseling;

1 (5) the communication was made when the peer counselor
2 was not performing official duties as a peer counselor;

3 (6) the first responder is charged with a criminal
4 offense; or

5 (7) the disclosure is otherwise required by law.

6 (i) The office may solicit and accept gifts, grants, and
7 donations to implement this section.

8 (j) The president shall adopt rules necessary to implement
9 this section.

10 SECTION 2. As soon as practicable after the effective date
11 of this Act, the president of Sam Houston State University shall
12 adopt rules necessary to implement Section 96.642, Education Code,
13 as added by this Act.

14 SECTION 3. This Act takes effect September 1, 2019.