

A BILL TO BE ENTITLED

AN ACT

1
2 relating to establishment of the office of first responder support
3 within the Bill Blackwood Law Enforcement Management Institute of
4 Texas and to the provision of critical incident support services to
5 first responders; requiring occupational certification.

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

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

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

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

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

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

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

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

24 (A) employee of the office; or

1 (B) employee or volunteer of a public agency.

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

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

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

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

12 (1) have experience as a first responder;

13 (2) have successfully completed training in providing
14 critical incident stress management to first responders; and

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

17 (d) The office shall create regional peer support teams of
18 peer counselors to provide the services described by Subsection
19 (e).

20 (e) The office at the request of a public agency may respond
21 to and deploy a regional peer support team to provide peer
22 counselors and critical incident support services to the agency and
23 the agency's first responders who are experiencing post-traumatic
24 stress disorder or other trauma associated with performing the
25 duties of a first responder. The office may not deploy a team
26 member if the member is an employee of the public agency that
27 employs a first responder to whom the team might provide services.

1 (f) The office shall establish a program for certifying
2 individuals to serve on a regional peer support team and provide
3 critical incident support services to first responders and
4 establish the qualifications necessary for certification. The
5 program must require that the individual complete training in
6 critical incident stress management provided by the International
7 Critical Incident Stress Foundation or training in another similar
8 training system. An individual may not provide the support
9 services to a first responder as part of a regional peer support
10 team under this section unless the individual holds the
11 certification required by this subsection.

12 (g) The office shall develop a training course on critical
13 incident stress management and other related matters for the
14 benefit of first responders who are not members of a regional peer
15 support team.

16 (h) Except as provided by Subsection (i), communications
17 between a peer counselor and a first responder receiving critical
18 incident support services from the counselor are confidential and
19 privileged and may not be disclosed.

20 (i) The confidentiality and privilege provisions of
21 Subsection (h) do not apply if:

22 (1) disclosure is authorized by the first responder;
23 (2) the first responder is deceased and the disclosure
24 is authorized by:

25 (A) the executor or administrator of the first
26 responder's estate; or

27 (B) the first responder's next of kin if an

1 executor or administrator is not appointed;

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

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

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

7 (6) the first responder is charged with a criminal
8 offense; or

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

10 (j) The office may solicit and accept gifts, grants, and
11 donations to implement this section.

12 (k) The president shall adopt rules necessary to implement
13 this section.

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

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