

BILL ANALYSIS

Senate Research Center
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H.B. 35
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Health & Human Services
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

In 2019, according to the Meadows Mental Health Policy Institute, the number of law enforcement officers who died by suicide across the U.S. (228), was nearly double the number of officers killed in the line of duty (132). In 2021, the 87th Legislature responded to the crisis of the high number of suicides committed by Texas' law enforcement officers by passing S.B. 64, to create a peer support network for peace officers under the Texas Commission on Law Enforcement. Reports produced by the Texas Law Enforcement Peer Network say the increased access to trained peer support provided by the network has measurably reduced the number of law enforcement officers who die by suicide. As a result, proponents of H.B. 35 believe these outcomes should be replicated to provide the same peer-based support for firefighters and emergency management services personnel (EMS).

Researchers report that regular exposure to traumatic events such as shootings, automobile accidents, or fires can also lead to complex mental health conditions for first responders that include depression, anxiety, and post-traumatic stress disorder at rates as high as 5 to 10 times that of the general population. A 2018 report on first responder mental health by the Ruderman Family Foundation found that firefighters die by suicide at even higher rates than their law enforcement counterparts, with 18 per 100,000 firefighters dying by suicide compared to 17 law enforcement officers per 100,000 deaths by suicide. The Centers for Disease Control and Prevention also found that EMS workers were 1.39 times more likely than the public to die by suicide. Although there are no official statistics for EMS suicide rates in Texas, the data demonstrates that all first responders are confronted by mental health crisis.

H.B. 35 seeks to address this issue through the establishment of a first responder peer support network.

H.B. 35 (House Engrossed) amends the Government Code to require the Texas Division of Emergency Management (TDEM) to develop a first responder peer support network that includes the following:

- peer-to-peer support;
- training for peer service coordinators and peers that includes suicide prevention training;
- technical assistance for program development, peer service coordinators, licensed mental health professionals, and peers; and
- identification, retention, and screening of licensed mental health professionals.

TDEM, as part of the network, is required to ensure first responders have support in both urban and rural jurisdictions through the establishment of regional peer support hubs and may establish a program to connect first responders with clinical resources at no cost to the first responders. The bill requires TDEM to solicit and ensure that specialized training is provided to persons who are peers and who want to provide peer-to-peer support and other peer-to-peer services under the network.

H.B. 35 establishes that information relating to a first responder's participation in peer-to-peer support and other peer-to-peer services under the network is confidential and not subject to disclosure under state public information law.

H.B. 35 prohibits the Texas Commission on Fire Protection (TCFP) from taking disciplinary action against a regulated person based on the person's participation in peer-to-peer support and other peer-to-peer services and from considering the person's participation during any disciplinary proceeding conducted under TCFP statutes.

H.B. 35 amends the Health and Safety Code to prohibit the Department of State Health Services from taking disciplinary action against EMS personnel based on their participation in peer-to-peer support and other peer-to-peer services and from considering their participation during any disciplinary proceeding under the Emergency Health Care Act.

H.B. 35 requires TDEM, not later than December 1 of each year, to submit a report to the governor and the legislature for which report requirements are included in bill language found in Section 418.354 of the Government Code.

H.B. 35 amends current law relating to a peer support network for first responders.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Chapter 418, Government Code, by adding Subchapter K, as follows:

SUBCHAPTER K. FIRST RESPONDER PEER SUPPORT NETWORK

Sec. 418.351. DEFINITIONS. Defines "emergency medical services personnel," "firefighter," "first responder," and "peer."

Sec. 418.352. GENERAL POWERS AND DUTIES. (a) Requires the Texas Division of Emergency Management (TDEM) to develop a first responder peer support network. Requires that the network include certain services.

(b) Provides that, as part of the first responder peer support network, TDEM is required to ensure first responders have support in both urban and rural jurisdictions through the establishment of regional peer support hubs and is authorized to establish a program to connect first responders with clinical resources at no cost to the first responders.

(c) Requires the division to solicit and ensure that specialized training is provided to persons who are peers and who want to provide peer-to-peer support and other peer-to-peer services under the network.

Sec. 418.353. CONFIDENTIALITY OF PARTICIPANT INFORMATION. Provides that information relating to a first responder's participation in peer-to-peer support and other peer-to-peer services under the network is confidential and not subject to disclosure under Chapter 552 (Public Information).

Sec. 418.354. ANNUAL REPORT. Requires the division, not later than December 1 of each year, to submit a report to the governor and the legislature that includes certain information.

SECTION 2. Amends Section 419.036, Government Code, by adding Subsection (e), to prohibit the Texas Commission on Fire Protection from taking disciplinary action against a regulated person based on the person's participation in peer-to-peer support and other peer-to-peer services

and considering the person's participation during any disciplinary proceeding under Chapter 419 (Texas Commission on Fire Protection).

SECTION 3. Amends Section 773.061, Health and Safety Code, by adding Subsection (f), to prohibit the Department of State Health Services (DSHS) from taking disciplinary action against a person described by Subsection (a)(1) (relating to requiring DSHS, for a certain violation, to reprimand emergency medical services personnel) based on the person's participation in peer-to-peer support and other peer-to-peer services and from considering the person's participation during any disciplinary proceeding under Chapter 773 (Emergency Medical Services).

SECTION 4. Effective date: September 1, 2025.