

1 HB112
2 210646-2
3 By Representatives Pettus, Hanes and Bedsole
4 RFD: Public Safety and Homeland Security
5 First Read: 02-FEB-21
6 PFD: 01/26/2021

ENGROSSED

A BILL

TO BE ENTITLED

AN ACT

Relating to emergency responders; to amend Section 36-21-14, Code of Alabama 1975, to authorize the Alabama Fire College to provide certification to certain peer support members.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 36-21-14, Code of Alabama 1975,
is amended to read as follows:

"§36-21-14.

"(a) As used in this section, the following terms shall have the following meanings:

"(1) CERTIFIED PEER SUPPORT MEMBER. A law enforcement officer, firefighter, paramedic, emergency dispatcher, emergency medical technician of an emergency service agency or entity, An emergency responder or a person who is assigned to be a chaplain by an emergency service agency, who has received training in critical incident stress management and who is certified as a peer support member by the Alabama State Law Enforcement Agency or the Alabama Fire College to provide emotional and moral support to an emergency responder who needs emotional or moral support as a result of

1 job-related stress or an incident in which the emergency
2 responder was involved while acting in his or her official
3 capacity.

4 "(2) EMERGENCY RESPONDER. A law enforcement officer,
5 firefighter, wildland firefighter, paramedic, emergency
6 dispatcher, or emergency medical technician of an emergency
7 service agency or entity.

8 "(3) PEER SUPPORT EVENT. Any debriefing, defusing,
9 or coaching session conducted by a certified peer support
10 member that involves the emotional or moral support of an
11 emergency responder who needs emotional or moral support as a
12 result of job-related stress or an incident in which the
13 emergency responder was involved while acting in his or her
14 official capacity.

15 "(b) In order to become a certified peer support
16 member, all of the following must apply:

17 "(1) The person must be an emergency responder or a
18 chaplain of an emergency service agency.

19 "(2) The person must complete training in critical
20 stress management or peer support by a recognized training
21 agency. Recognized training agencies include, ~~but are not~~
22 ~~limited to~~, the International Critical Incident Stress
23 Foundation, the National Organization for Victim Assistance,
24 the American Red Cross, and the Regional Counterdrug Training
25 Academy.

26 "(3) The person must be designated in writing by a
27 sheriff, police chief, fire chief, or other head of a law

1 enforcement agency, fire department, rescue agency, or a
2 public safety agency to provide peer support services to an
3 emergency responder or the spouse of an emergency responder.
4 Only one certified peer support person may be assigned per any
5 specific peer support event.

6 "(4) Law enforcement officers, emergency
7 dispatchers, or persons assigned to be a chaplain by an
8 emergency service agency, must be certified by the Alabama
9 State Law Enforcement Agency. Firefighters, wildland
10 firefighters, paramedics, and emergency medical technicians of
11 an emergency service agency or entity, or persons assigned to
12 be a chaplain by an emergency service agency, must be
13 certified by the Alabama Fire College.

14 "(c) Any communication made by an emergency
15 responder to a certified peer support member during a peer
16 support event is privileged. The emergency responder may waive
17 the privilege. The certified peer support member may not be
18 compelled to testify or otherwise disclose the contents of any
19 privileged communication under this section.

20 "(d) A communication made by an emergency responder
21 to a certified peer support member is not privileged if any of
22 the following apply:

23 "(1) The certified peer support member was an
24 initial emergency service responder, a witness, or a party to
25 the incident that prompted the communication to the certified
26 peer support member.

1 "(2) The communication reveals the intended
2 commission of a crime or otherwise harmful act, and the
3 disclosure of the communication is determined to be necessary
4 by the certified peer support member to protect any person
5 from a clear and imminent risk of mental or physical harm or
6 to forestall a serious threat to public safety.

7 "(3) The communication reveals that a crime was
8 committed.

9 "(4) A court determines the communications are not
10 privileged under the exceptions provided in Rule 503(d),
11 Alabama Rules of Evidence."

12 Section 2. This act shall become effective on the
13 first day of the third month following its passage and
14 approval by the Governor, or its otherwise becoming law.

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House of Representatives

4 Read for the first time and re-
5 ferred to the House of Representa-
6 tives committee on Public Safety
7 and Homeland Security..... 02-FEB-21

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9 Read for the second time and placed
10 on the calendar 1 amendment 10-FEB-21

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12 Read for the third time and passed
13 as amended..... 11-MAR-21

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Jeff Woodard
Clerk