

[First Reprint]

ASSEMBLY, No. 4954

STATE OF NEW JERSEY
218th LEGISLATURE

INTRODUCED JANUARY 28, 2019

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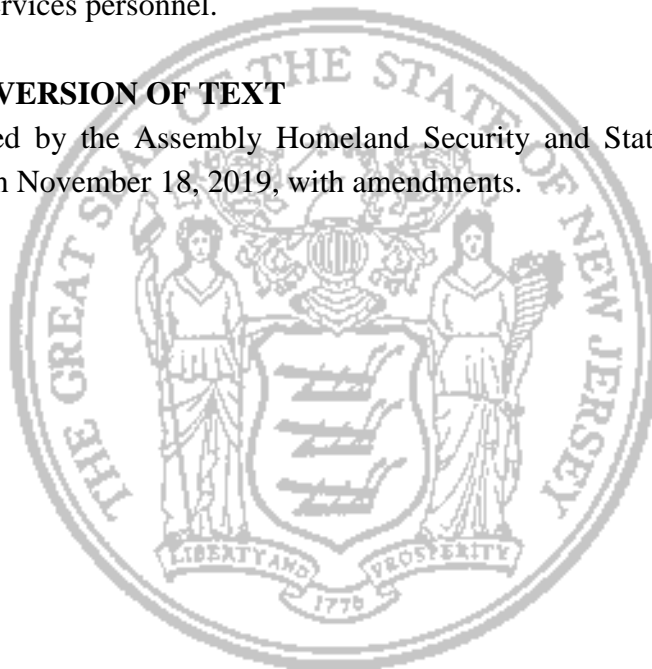
**Assemblywoman DiMaso, Assemblyman Karabinchak, Assemblywomen
Lampitt, Reynolds-Jackson, Lopez and Assemblyman Conaway**

SYNOPSIS

Revises requirements for provision of counseling and support services to emergency services personnel.

CURRENT VERSION OF TEXT

As reported by the Assembly Homeland Security and State Preparedness Committee on November 18, 2019, with amendments.



(Sponsorship Updated As Of: 11/26/2019)

1 AN ACT concerning trauma counseling for emergency services
2 personnel and amending P.L.2013, c.233.

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6

7 1. Section 1 of P.L.2013, c.233 (C.2A:84A-22.17) is amended
8 to read as follows:

9 1. a. As used in this act:

10 “Certified crisis assistance counselor” means a member of a law
11 enforcement agency, emergency medical service unit, fire
12 department or force, emergency communications provider,
13 volunteer fire department, duly incorporated fire or first aid
14 company, volunteer emergency, ambulance or rescue squad
15 association or organization, an authorized representative of a
16 collective bargaining unit or organization representing law
17 enforcement officers or firefighters, or any private citizen
18 designated by an emergency services provider to provide crisis
19 assistance services who is certified by the International Critical
20 Incident Stress Foundation, Inc. or another entity designated by the
21 Commissioner of ¹**[Health]** Human Services¹ to certify individuals
22 to provide crisis assistance services.

23 “Crisis assistance program” means a program established by an
24 emergency services provider to provide crisis assistance services to
25 employees and volunteers who, while providing emergency
26 services, have been involved in incidents which may produce
27 personal or job-related depression, anxiety, stress, or other
28 psychological or emotional tensions, traumas, pressures, or
29 disorders. Such incidents may include, but shall not be limited to:
30 an event involving the firing of a weapon; significant or serious
31 bodily injury; death; a terroristic act; a hostage situation; or
32 personal injury.

33 “Crisis assistance services” means consultations, counseling,
34 debriefing, defusing, intervention services, prevention services, and
35 referrals provided to emergency services personnel through a crisis
36 assistance program.

37 “Emergency services personnel” means a person who is
38 employed as a law enforcement officer, emergency medical service
39 technician, firefighter, emergency communications operator, or in
40 some related occupation or profession, or who serves as a volunteer
41 member of a fire department, duly incorporated fire or first aid
42 company, volunteer emergency, ambulance or rescue squad
43 association or organization and provides emergency services for a
44 local governmental unit.

EXPLANATION – Matter enclosed in bold-faced brackets **[thus]** in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹Assembly AHS committee amendments adopted November 18, 2019.

1 "Emergency services provider" means a local law enforcement
2 agency, emergency medical services unit, fire department or force,
3 emergency communications provider, volunteer fire department,
4 duly incorporated fire or first aid company, volunteer emergency,
5 ambulance or rescue squad association or organization or company
6 which provides emergency services.

7 **["Emergency assistance program" means a program established**
8 **by an emergency services provider to provide peer counseling and**
9 **support services to employees and volunteers who, while providing**
10 **emergency services, have been involved in incidents which may**
11 **produce personal or job-related depression, anxiety, stress or other**
12 **psychological or emotional tensions, traumas, pressures, or**
13 **disorders. Such incidents may include, but not be limited to: an**
14 **event involving the firing of a weapon; significant or serious bodily**
15 **injury; death; a terroristic act; a hostage situation; or personal**
16 **injury.**

17 "Peer counselor" means a member of a law enforcement agency,
18 emergency medical service unit, fire department or force,
19 emergency communications provider, volunteer fire department,
20 duly incorporated fire or first aid company, volunteer emergency,
21 ambulance or rescue squad association or organization, an
22 authorized representative of a collective bargaining unit or
23 organization representing law enforcement officers or firefighters,
24 or any private citizen designated by an emergency services provider
25 to provide post traumatic counseling and support services for
26 emergency services personnel.]

27 b. Except as otherwise provided in subsection c. of this act:

28 (1) All information exchanged between a **[peer]** certified crisis
29 assistance counselor and any emergency services personnel
30 participating in **[an emergency]** a crisis assistance program shall be
31 deemed confidential and shall not be disclosed to any other person;
32 and

33 (2) A **[peer]** certified crisis assistance counselor shall be
34 privileged against examination as a witness in any civil or criminal
35 proceeding, or in any administrative or arbitration proceeding, with
36 regard to the exchange of information that occurred in **[an**
37 **emergency]** a crisis assistance program.

38 c. Nothing in this act shall be deemed to prohibit:

39 (1) A professional exchange of information between **[peer]**
40 certified crisis assistance counselors, counseling supervisors, and
41 appropriately licensed or certified psychologists, social workers, or
42 mental health professionals designated by, or contracted by, the
43 emergency services provider for the exclusive purpose of providing
44 for the care and treatment of any emergency services personnel who
45 have been involved in incidents which produced personal or job-
46 related depression, anxiety, stress, or other psychological or
47 emotional tensions, traumas, pressures, or disorders;

1 (2) An exchange of information concerning any threat or
2 suggestion of suicide or physical harm;

3 (3) An exchange of information relating to child abuse or elder
4 abuse; or

5 (4) An exchange of information relating to the commission of a
6 crime.

7 d. (1) An individual who provides crisis assistance services
8 pursuant to this section shall:

9 (a) be certified by the International Critical Incident Stress
10 Foundation, Inc. or another entity designated by the Commissioner
11 of ¹['Health'] Human Services¹ to certify individuals to provide
12 crisis assistance services; and

13 (b) provide documentation and annual proof of certification to
14 each emergency services provider employing the services of the
15 certified crisis assistance counselor.

16 (2) An emergency services provider employing the services of a
17 certified crisis assistance counselor shall maintain the
18 documentation and proof of certification provided by the counselor
19 pursuant to paragraph (1) of this subsection, which shall be made
20 available to the ¹['Commissioner of Health'] commissioner¹ upon
21 request.

22 e. If an emergency services provider employing the services of
23 a certified crisis assistance counselor determines that the counselor
24 has violated the requirements of this section, the provider shall
25 promptly notify the entity that certified the counselor of the
26 violation. A counselor who violates the requirements of this section
27 shall be considered decertified and shall be ineligible to provide
28 crisis assistance services as a certified crisis assistance counselor
29 for a period of five years from the date of decertification.

30 (cf: P.L.2013, c.233, s.1)

31

32 2. This act shall take effect immediately.