



Substitute House Bill No. 7394

Public Act No. 19-188

AN ACT CONCERNING THE PROTECTION OF CONFIDENTIAL COMMUNICATIONS BETWEEN A FIRST RESPONDER AND A PEER SUPPORT TEAM MEMBER.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. (NEW) (*Effective October 1, 2019*) (a) As used in this section:

(1) "Peer support team member" means any person engaged in directing or staffing any peer support program established by an employer for the benefit of an employee who is a first responder;

(2) "First responder" means: Any peace officer, as defined in section 53a-3 of the general statutes; any firefighter, as defined in section 7-313g of the general statutes; any person employed as a firefighter by a private employer, any ambulance driver, emergency medical responder, emergency medical technician, advanced emergency medical technician or paramedic, as defined in section 19a-175 of the general statutes; and any telecommunicator, as defined in section 28-30 of the general statutes; and

(3) "Confidential communications" means all oral and written communications transmitted in confidence between a first responder and a peer support team member in the course of participation in an

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employer established peer support program and all records prepared by a peer support team member related to such first responder's participation in such program.

(b) Except as provided in subsection (d) of this section, and unless the first responder making the confidential communication waives the privilege, no peer support team member shall disclose any confidential communications (1) to any third person, other than a person to whom disclosure is reasonably necessary for the accomplishment of the purposes for which such member is consulted, (2) in any civil or criminal case or proceeding, or (3) in any legislative or administrative proceeding.

(c) No person in any civil or criminal case or proceeding or in any legislative or administrative proceeding may request or require information from any first responder relating to the first responder's participation in a peer support program, including whether or not such first responder at any time participated in such peer support program.

(d) Consent of a first responder shall not be required for the disclosure of such first responder's confidential communications:

(1) Where mandated by any other provision of the general statutes;

(2) Where a peer support team member believes in good faith that the failure to disclose such confidential communications presents a clear and present danger to any individual, including the first responder; and

(3) Where the peer support team member was a witness or party to an incident that resulted in the delivery of peer support services to the first responder.