

HOUSE BILL NO. 621

INTRODUCED BY S. GIST, M. VINTON, S. KELLY, T. SHARP, C. SCHOMER, M. CUNNINGHAM, M. THIEL,
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A BILL FOR AN ACT ENTITLED: "AN ACT ALLOWING A LOCAL FIRST RESPONDER ENTITY TO
ESTABLISH A PEER SUPPORT PROGRAM; PROVIDING FOR MINIMUM REQUIREMENTS OF A LOCAL
FIRST RESPONDER PEER SUPPORT PROGRAM; AND PROHIBITING A QUALIFIED PEER SUPPORTER
FROM TESTIFYING ABOUT THE CONTENT OF A PEER SUPPORT SESSION."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

NEW SECTION. Section 1. Local first responder peer support programs. (1) A police department,
sheriff's office, fire department, or emergency medical service provider may establish a first responder peer
support program that is in compliance with the provisions of this section.

(2) A local first responder peer support program must have a written policy that outlines, at a
minimum:

(a) qualifications for a peer supporter, including certification and continuing education
requirements;

(b) guidelines for what constitutes a peer support session from a conversation between peers;

(c) definitions for a group debrief and peer support team;

(d) the prohibition of recording in writing or by video or audio any peer support session;

(e) how peer supporters in the program shall comply with the Health Insurance Portability and
Accountability Act of 1996, 42 U.S.C. 1320d, et seq.;

(f) the ability of an employee to use multiple peer supporters;

(g) the protection of an employee from being forced to use a peer supporter who holds supervisory
authority over the employee;

(h) the prohibition of harassment or discrimination against an employee or volunteer who seeks
services from the peer support program; and

(i) confidentiality protections of the peer support program, including the following exceptions:

(i) if the employee has committed or plans to commit a crime; ~~and~~

(ii) if the employee indicates the employee will cause harm to themselves or to others;

(III) IF THERE IS A REQUEST FROM AN APPROPRIATE LICENSING BOARD; AND

(IV) IF THE MANDATORY REPORTING REQUIREMENTS OF LICENSING BOARDS APPLY.

(3) A peer support session is confidential, and, EXCEPT AS PROVIDED IN SUBSECTION (2)(I), a qualified peer supporter in a local first responder peer support program is prohibited from providing testimony about a peer support session, including individual and group peer support sessions.

NEW SECTION. Section 2. Codification instruction. [Section 1] is intended to be codified as an integral part of Title 7, chapter 32, ~~part 24,~~ and the provisions of Title 7, chapter 32, ~~part 24,~~ apply to [section 1].

COORDINATION SECTION. SECTION 3. COORDINATION INSTRUCTION. IF BOTH SENATE BILL NO. 518 AND [THIS ACT] ARE PASSED AND APPROVED, THEN THE REFERENCE TO "AN APPROPRIATE LICENSING BOARD" IN [SECTION 1(2)(I)(III) OF THIS ACT] MUST BE CHANGED TO "AN APPROPRIATE LICENSING BOARD OR PROGRAM".

COORDINATION SECTION. SECTION 4. COORDINATION INSTRUCTION. IF BOTH SENATE BILL NO. 518 AND [THIS ACT] ARE PASSED AND APPROVED, THEN THE REFERENCE TO "REPORTING REQUIREMENTS OF LICENSING BOARDS" IN [SECTION 1(2)(I)(IV)] MUST BE CHANGED TO "REPORTING REQUIREMENTS OF LICENSING BOARDS OR PROGRAMS".

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