

Judiciary Committee JOINT FAVORABLE REPORT

Bill No.: HB-7394

AN ACT CONCERNING THE PROTECTION OF CONFIDENTIAL
COMMUNICATIONS BETWEEN A FIRST RESPONDER AND A PEER

Title: SUPPORT TEAM MEMBER.

Vote Date: 4/10/2019

Vote Action: Joint Favorable Substitute

PH Date: 4/3/2019

File No.: 850

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SPONSORS OF BILL:

Judiciary Committee

REASONS FOR BILL:

To ensure the confidentiality of certain communications that take place between a first responder and a peer support team member.

SUBSTITUTE LANGUAGE: Redefines “firefighter” utilizing definition in CGA 7-313g as requested by AFL-CIO Firefighters.

RESPONSE FROM ADMINISTRATION/AGENCY:

N/A

NATURE AND SOURCES OF SUPPORT:

Connecticut Broadcasters Association (CBA) President Michael Ryan: Submitted written testimony stating: The CBA has several questions about H.B. 7394 as written. The language does not define what a peer support program is, it does not define what a peer support team member is, it does not indicate who is authorized to create peer support programs, it does not define who is qualified to administer peer support programs, and it does not indicate who determines peer support team members. While the CBA supports providing

first responders with access to needed support networks, the absence of more clarity around these questions could conceivably result in the shielding of information related to FOIA requests, and that is something that we would regard as potentially problematic.

Connecticut Legal Rights Project, Inc. Executive Director Kathy Flaherty: My comments in support of HB 7394 come from my lived experience as a person in recovery from a mental health diagnosis, who found peer support critical to maintaining that recovery. In addition my past involvement as a board member of the Connecticut Alliance to Benefit Law Enforcement demonstrated to me that people learn best from peers – in other words, a first responder is much more likely to accept help from a fellow first responder – a peer – rather than suggestions from concerned family members and/or employers. Preserving the confidentiality of communications with peer support team members will enhance the likelihood that people will engage with peer support services. I encourage the committee to advance this bill.

Police Officers Association of Connecticut (POACT) Patricia Shea: Urges passage of this bill. She writes: HB 7394 is critical to the efforts being undertaken by the legislature to allow police officers and other first responders to be able to seek out support and mental health care without fear of retribution by their employer. First responders are consistently exposed to critical incidents involving death, grief, injury and loss. This takes its toll and peer support can be a source of great support. But, without the protection of confidentiality, police officers usually keep their feelings to themselves for fear of jeopardizing their job. This bill is an essential element to making sure that police officers and other first responders can get the help that they need to maintain their mental and emotional health.

Uniformed Professional Fire Fighters Association of Connecticut Director Rick Hart: A number of international Association of Firefighters (IAFF) Locals across Connecticut have already established peer support and counseling teams for their members. The overarching principle of the IAFF peer support program is confidential for members seeking counseling or support. A major obstacle facing our members is the stigma attached to PTSD, mental health issues, or substance abuse problems. By incorporating the protection of confidential conversations between members and peer support counselors in statute, it will allow departments to comply with the National Fire Protection Association (NEPA) Standard 1500 which states:

11.1.4 The fire department shall adopt and follow clear, written policies consistent with applicable statutes, regulations, and standards....

11.1.4.1 These policies shall identify to whom and under what conditions information can be released....

Trish Buchanan, East Granby, CT: I am the widow of East Hartford Police Officer Paul Buchanan Badge # 208. Paul was a police officer who served the East Hartford Community for almost 24 years with pride, honor and integrity. He was East Hartford's Police Officer of the Year in 2008 and decorated officer and a friend to all. Paul and I were married for almost 29 years; we have two amazing sons, Jared and Benjamin. Sadly, Paul was diagnosed with job-related PTSD. In his final written words to me and my boys Paul wrote "*make my death an issue and get help for others that are like me.*" I ask your support of this important Bill so that our first responders would feel comfortable sharing and speaking with a peer support

team member. They need to be able to trust that their peer support team member will keep certain communications that take place between them confidential.

Daniel Mascolo, Westport Fire Department: Connecticut needs to pass the mental health bill for the protection of its first responders and their families.

Rev. Jeff Gallagher, Senior Pastor, United Congregational Church of Tolland Chaplain, Tolland Fire Department. Writes a note *in support* of Raised Bill 7394. I am an ordained clergy person serving as pastor of a church and as chaplain of my local fire department. I am also the head of our department's PEER team. As a clergy person, confidentiality is vital for the work I do at my church (save for anyone who is a threat to themselves or others, then I am a mandated reporter). It is also vital for the work our PEER team does. It is hard for emergency personnel to admit they need help. The stigma attached can be significant and so often they will suffer and struggle in silence. The only way we will get our members to come and talk with us is if they understand that what is shared is confidential. Without that they will not turn to us. And with PTSD, depression, and suicides rates much higher in first responders than the regular population, these first responders need our support and, if needed, our ability to triage them to get the professional help they need. Please consider supporting this bill. It is too much at stake, their lives literally depend on it.

Kevin Donovan, Wolcott, CT: Writes: As a volunteer firefighter for almost 28 years and multi-agency Chaplain, I want to voice *my support* for this bill – from both sides. Peer Support initiatives will only work if the first responder who seeks out a PS team member knows that their conversation will be held in complete confidence. That is the ultimate value in seeking out such a dynamic. It is akin to other confidential relationships (physician, clergy). First responders need to know that they can talk openly with someone in their profession and be certain what they say will be protected as confidential communication. As both a first responder and chaplain I support Bill 7394 wholeheartedly.

Stephen Johnson, Pastor of Public Safety Chaplaincy, Black Rock Church: Writes in support of this bill. I serve in many roles in the public safety and first responder community; I supervise an active 911 and public safety communications center, I am a paid and volunteer Emergency Medical Technician at the rank of lieutenant, and I am an Emergency Medical Services Instructor. Each and every day, Connecticut's first responders are exposed to death, grief, sorrow, injury, pain and loss; each and every day they encounter threats to their personal safety, long hours of work and physical hardships. When we signed up for this work, we recognized that our jobs are difficult. We understand that being first responders is different than any other career, that when others choose flight we must choose fight. We are strong for being willing to face the tragic and the horrific, but we are human in that prolonged exposure to the tragic and horrific, combined with the impacts of both cumulative and critical incidents stress, takes its toll on our mental and emotional health. We provide our law enforcement with bullet proof vests to protect shots from those who aim to physically harm them, we provide turnout gear to firefighters to prevent them from being burned, we teach our EMS providers about scene safety, but we need to be doing more to protect our minds from the equally dangerous impacts of trauma and stress. Peer Support is one of the most effective tools we utilize to aid each other as we serve our communities. This bill, if passed,

removes the fear that the most vulnerable feelings of Connecticut's first responders can be forcibly divulged. Before we lose more first responders and I as a chaplain comfort grieving families, I'd like to say we did all that we could do.

Pete Nichio: As a firefighter who suffers from depression, and is on my Dept's Peer Support Team, I know firsthand how important it is to keep the communications between team members and members of their dept confidential. Unfortunately there is a disconnect in some departments between administrators and firefighters; the peer team is that connection that members need so they can pursue proper help without having their administrative personnel knowing. The point of the team is to ensure that members that are suffering can reach out to vent and find help. If this bill does not pass there is a good chance that more of our brothers and sisters will keep their issues to themselves which can result in disastrous outcomes. Please support the passing of this bill.

NATURE AND SOURCES OF OPPOSITION:

N/A

Reported by: rJo Winch

Date: May 9, 2019