



General Assembly

February Session, 2022

Raised Bill No. 5372

LCO No. 2350



Referred to Committee on JUDICIARY

Introduced by:
(JUD)

AN ACT PERMITTING CLINICAL SOCIAL WORKERS TO CONDUCT PERIODIC BEHAVIORAL HEALTH ASSESSMENTS OF POLICE OFFICERS AND PROMOTING THE INCREASED USE OF CLINICAL SOCIAL WORKERS BY LAW ENFORCEMENT UNITS WHEN ISSUING EMERGENCY CERTIFICATES.

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

1 Section 1. Section 7-291e of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective July 1, 2022*):

3 (a) As used in this section: (1) "Administrative head of each law
4 enforcement unit" means the Commissioner of Emergency Services and
5 Public Protection, the board of police commissioners, the chief of police,
6 superintendent of police or other authority having charge of a law
7 enforcement unit; and (2) "behavioral health assessment" means a
8 behavioral health assessment of a police officer conducted by a board-
9 certified psychiatrist, [or] psychologist licensed pursuant to the
10 provisions of chapter 383 or a clinical social worker licensed pursuant
11 to the provisions of chapter 383b, who has experience diagnosing and
12 treating post-traumatic stress disorder.

13 (b) On and after January 1, 2021, the administrative head of each law
14 enforcement unit shall require each police officer employed by such law
15 enforcement unit to submit, as a condition of continued employment, to
16 a periodic behavioral health assessment. Each police officer employed
17 by a law enforcement unit shall submit to a periodic behavioral health
18 assessment not less than once every five years. In carrying out the
19 provisions of this section, the administrative head of each law
20 enforcement unit may stagger the scheduling of such behavioral health
21 assessments in a manner that results in approximately twenty per cent
22 of the total number of police officers in the law enforcement unit
23 receiving behavioral health assessments each year over a five-year
24 period. Notwithstanding the provisions of this subsection, the
25 administrative head of a law enforcement unit may waive the
26 requirement that a police officer submit to a periodic behavioral health
27 assessment when the police officer has submitted written notification of
28 his or her decision to retire from the law enforcement unit to such
29 administrative head, provided the effective date of such retirement is
30 not more than six months beyond the date on which such periodic
31 behavioral health assessment is scheduled to occur.

32 (c) In addition to the behavioral health assessments required
33 pursuant to subsection (b) of this section, the administrative head of
34 each law enforcement unit may, for good cause shown, require a police
35 officer to submit to an additional behavioral health assessment. The
36 administrative head of a law enforcement unit requiring that a police
37 officer submit to an additional behavioral health assessment shall
38 provide the police officer with a written statement setting forth the good
39 faith basis for requiring the police officer to submit to an additional
40 behavioral health assessment. Upon receiving such written statement,
41 the police officer shall, not later than thirty days after the date of the
42 written request, submit to such behavioral health assessment.

43 (d) A law enforcement unit that hires any person as a police officer,
44 who was previously employed as a police officer by another law
45 enforcement unit or employed as a police officer in any other
46 jurisdiction, may require such new hire to submit to a behavioral health

47 assessment not later than six months after the date of hire. When
48 determining whether such new hire shall be required to submit to a
49 behavioral health assessment, the law enforcement unit shall give due
50 consideration to factors that include, but are not limited to, the date on
51 which such new hire most recently submitted to a behavioral health
52 assessment.

53 (e) Any person conducting a behavioral health assessment of a police
54 officer pursuant to the provisions of this section shall provide a written
55 copy of the results of such assessment to the police officer and to the
56 administrative head of the law enforcement unit employing the police
57 officer.

58 (f) The results of any behavioral health assessment conducted in
59 accordance with the provisions of this section and any record or note
60 maintained by a psychiatrist, [or] psychologist, or clinical social worker
61 in connection with the conducting of such assessment shall not be
62 subject to disclosure under section 1-210.

63 Sec. 2. Subsection (d) of section 17a-503 of the general statutes is
64 repealed and the following is substituted in lieu thereof (*Effective July 1,*
65 *2022*):

66 (d) Any clinical social worker licensed under chapter 383b or
67 advanced practice registered nurse licensed under chapter 378 who (1)
68 has received a minimum of eight hours of specialized training in the
69 conduct of direct evaluations [as a member of] (A) as a member of any
70 mobile crisis team, jail diversion program, crisis intervention team,
71 advanced supervision and intervention support team, or assertive case
72 management program operated by or under contract with the
73 Department of Mental Health and Addiction Services, [or] (B) as a
74 member of a community support program certified by the Department
75 of Mental Health and Addiction Services, (C) as a member of any
76 collaborative program or partnership between a law enforcement unit,
77 as defined in section 7-294a, and a behavioral health and social services
78 agency, or (D) while employed by a law enforcement unit, as defined in

79 section 7-294a, and (2) based upon the direct evaluation of a person, has
80 reasonable cause to believe that such person has psychiatric disabilities
81 and is dangerous to himself or herself or others or gravely disabled, and
82 in need of immediate care and treatment, may issue an emergency
83 certificate in writing that authorizes and directs that such person be
84 taken to a general hospital for purposes of a medical examination. The
85 person shall be examined within twenty-four hours and shall not be
86 held for more than seventy-two hours unless committed under section
87 17a-502. The Commissioner of Mental Health and Addiction Services,
88 and any law enforcement unit that (A) has established a collaborative
89 program or partnership as described in subparagraph (C) of subdivision
90 (1) of this subsection, or (B) employs clinical social workers licensed
91 under chapter 383b, shall collect and maintain statistical and
92 demographic information pertaining to emergency certificates issued
93 under this subsection.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2022</i>	7-291e
Sec. 2	<i>July 1, 2022</i>	17a-503(d)

Statement of Purpose:

To (1) allow clinical social workers to conduct periodic behavioral health assessments of police officers, and (2) recognize the increased use of clinical social workers by law enforcement units when issuing emergency certificates.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]