AN ACT

Amending Titles TITLE 35 (Health and Safety) and 75 (Vehicles) of the Pennsylvania Consolidated Statutes, providing for emergency responder mental wellness and stress management; establishing the Statewide Critical Incident Stress Management Program; providing for duties of the Secretary of Health and the Department of Health; AND, in emergency medical services system, further providing for support of emergency medical services; in operation of vehicles general provisions, further providing for EMS costs; and, in driving after imbibing alcohol or utilizing drugs, further providing for Accelerated Rehabilitative Disposition.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. Title 35 of the Pennsylvania Consolidated Statutes is amended by adding a chapter to read:

CHAPTER 75A

Emergency Responder Mental Wellness and Stress Management

Sec.

75A01. Definitions.
75A02. Mental wellness and stress management protocol.
75A03. Peer-to-peer support programs.
75A04. Trained peer support providers.
75A05. Toll-free helpline.
75A06. Statewide Critical Incident Stress Management Program and regional programs.
75A07. Trauma and suicide awareness and impact training.
75A08. Nonprofit organizations.
75A09. Publication.
75A10. Confidential communications involving emergency responders.
75A11. Funding.

§ 75A01. Definitions.

The following words and phrases when used in this chapter shall have the meanings given to them in this section unless the context clearly indicates otherwise:

"Cooperating officials and agencies." Includes the following:

(1) The Department of Human Services of the Commonwealth.

(2) A county mental health office located within this Commonwealth.

(3) The State Fire Commissioner.

(4) THE DEPARTMENT OF DRUG AND ALCOHOL PROGRAMS OF THE COMMONWEALTH.

"Corrections officer." A full-time employee assigned to the Department of Corrections whose principal duty is the care, custody and control of inmates of a penal or correctional institution operated by the Department of Corrections.

"Critical incident." A situation to which an emergency
responder responds that presents or involves either the death or serious bodily injury of an individual, or the imminent potential of death or serious bodily injury, or any situation faced by an emergency responder in the course of duty which causes or may cause the emergency responder to experience strong negative emotional reactions.

"Department." The Department of Health of the Commonwealth.

"Emergency medical services provider or EMS provider." As defined under section 8103 (relating to definitions).

"Emergency responder." Any of the following:

(1) A first responder CURRENT OR FORMER MEMBER OF AN
    EMERGENCY MEDICAL SERVICES AGENCY, FIRE COMPANY OR RESCUE COMPANY.

(2) A peace officer.

(3) A 911 dispatcher.

(4) A coroner OR MEDICAL EXAMINER who responds in an official capacity to an emergency.

(5) A corrections officer.

"First responder." A current or former member of an emergency medical services agency, fire company or rescue company.

"Mental wellness and stress management protocol." A plan that:

(1) Requires education and training on traumatic brain injuries and traumatic stress, including acute stress reactions, acute stress disorder, posttraumatic stress injuries and other emotional reactions and components of trauma reaction for emergency responders.

(2) Sets responsibilities for employer PUBLIC agencies and emergency responders who sustain a posttraumatic stress
injury or traumatic brain injury arising from their work.

(3) Provides remedial supportive actions for employer PUBLIC agencies in response to a report of a posttraumatic stress injury or traumatic brain injury sustained by an emergency responder.

"Peace officer." As defined in 18 Pa.C.S. § 501 (relating to definitions).

"Peer-to-peer support program." A regional peer support service program established under section 75A03 (relating to peer-to-peer support programs) which offers services:

(1) designated by the department to be used in:

   (i) recognizing the symptoms of a mental health condition, including those caused by a critical incident; and

   (ii) making a behavioral health referral through an employee assistance program or other mental health agency for treatment by a licensed behavioral health professional; and

(2) delivered by a trained peer support individual PROVIDER.

"Posttraumatic stress injury." A posttraumatic stress disorder as defined by a mental disorder characterized by direct exposure to a traumatic event as identified in the Diagnostic and Statistical Manual of Mental Disorders, Fifth Edition (DSM-5).

"PUBLIC AGENCY." AS DEFINED UNDER SECTION 5302 (RELATING TO DEFINITIONS).

"Secretary." The Secretary of Health of the Commonwealth.

"Trained peer support provider." An emergency responder who has the training, credentials or experience to provide support.
§ 75A02. Mental wellness and stress management protocol.

(a) General rule.--The secretary, in consultation with cooperating officials and agencies, shall develop a mental wellness and stress management protocol to assist emergency responders who:

(1) Suffer or may have suffered posttraumatic stress injuries or traumatic brain injuries as a result of their employment.

(2) Have been exposed to critical incidents.

(b) Compliance.--Emergency responders and PUBLIC agencies for which emergency responders perform their duties shall COMPLY WITH the protocol established under this section.

§ 75A03. Peer-to-peer support programs.

(a) Establishment of peer-to-peer support programs.--Notwithstanding any other provision of law, the secretary shall establish at least one regional peer PEER-TO-PEER support service program within the service area of each of its THE DEPARTMENT'S regional or district offices located in this Commonwealth.

(b) Cooperative establishment.--The secretary shall establish the peer-to-peer support programs in conjunction with cooperating officials and agencies, the regional emergency medical services councils and any other entities designated by the department.

(c) Access.--The department shall, if possible, establish the peer-to-peer support programs in a manner that ensures access to a program by all emergency responders within this Commonwealth.
(d) Services.--Services provided by a peer-to-peer support program shall include peer-to-peer support for all of the following:

(1) Mental health issues, including treatment and recovery support for posttraumatic stress injuries, traumatic brain injury and depression.

(2) Alcohol, substance abuse or chemical dependence treatment and recovery support, including treatment planning, recovery coaching and relapse prevention.

(3) Sexual abuse trauma.

(4) Workplace abuse.

(5) Co-occurring disorders.

(6) Any other support service which the department deems necessary.

(e) Critical incident stress management.--The program shall incorporate critical incident stress management intervention.

§ 75A04. Trained peer support providers.

(a) Establishment.--The department, in conjunction with cooperating officials and agencies, shall develop and establish guidelines for the recruitment and training of providers ENTITIES capable of providing peer-to-peer support under section 75A03 (relating to peer-to-peer support programs).

(b) Contents.--The guidelines shall include the establishment of minimum qualifications as a trained peer support provider.

(c) Credentialing requirement.--The department shall establish a clear credentialing requirement and a certificate evidencing a TRAINED PEER SUPPORT provider's qualifications.

(d) Procedure.--A procedure shall be established for the suspension or revocation of credentials.
§ 75A05. Toll-free helpline.

(a) General rule.--The department shall:

(1) Establish a toll-free helpline to respond to calls from emergency responders who have been involved in a critical incident or are dealing with mental wellness issues.

(2) Obtain the toll-free telephone number 866-1ST-HELP for such purposes. If the telephone number 866-1ST-HELP is not available, the department shall obtain a substantially similar telephone number acronym for such purposes.

(3) Permit persons to provide information anonymously, should they choose to do so.

(4) Ensure the confidentiality of the names of callers, information discussed during the call and any referrals for further services.

(b) Helpline operators.--An operator of the helpline must be an individual adequately trained in identifying with posttraumatic stress injuries and other emotional and psychological reactions common to emergency responders or capable of making an appropriate referral to either a peer-to-peer support program or a licensed behavioral health professional for further mental health evaluation or care.

(c) Posting.--A sign shall be posted at all sites where emergency responders serve and shall:

(1) Be no smaller than 8 1/2 by 11 inches.

(2) Be posted in a conspicuous manner clearly visible to emergency responders.

(3) Include the following information:

   (i) The toll-free telephone number, which must be printed in bold type and large font.

   (ii) Notice that callers may provide information
anonymously if they choose to do so.

(d) Online access to sign.--The department and cooperating
officials and agencies shall provide the sign on their
respective publicly accessible Internet websites for any person
to print as needed.

§ 75A06. Statewide Critical Incident Stress Management Program
and regional programs.

(a) Establishment.--The department shall establish a
Statewide Critical Incident Stress Management Program to:

(1) Identify the emotional impact that external and
internal critical incidents have on this Commonwealth's first
EMERGENCY responders.

(2) Prepare a response to event-driven situations
affecting the emotional well-being of first EMERGENCY
responders.

(b) Protocol.--The department shall establish a protocol for
the department's critical incident stress management programs.

§ 75A07. Trauma and suicide awareness and impact training.

(a) Training required.--The department shall provide for and
include trauma awareness DEVELOP A PROGRAM OF TRAUMA AND SUICIDE
AWARENESS AND IMPACT training. The department may partner or
contract with a third-party entity to provide the necessary
training. The department shall require TRAUMA AND SUICIDE
AWARENESS AND IMPACT TRAINING AS A COMPONENT OF initial and
continuing education for emergency responders and shall include
trauma awareness training EMS PROVIDERS AND SHALL MAKE THE
TRAINING AVAILABLE TO OTHER EMERGENCY RESPONDERS.

(b) Training topics.--Trauma AND SUICIDE awareness AND
IMPACT training shall include the following:

(1) Education on stress management.
(2) Critical incidents.
(3) Signs and symptoms of posttraumatic stress injury.
(4) Vicarious trauma.
(5) Substance abuse and addiction.
(6) Warning signs of depression and suicide and any other relevant topics as determined by the department.
(7) The availability of additional resources, INCLUDING THE RESOURCES CREATED UNDER THIS CHAPTER.

§ 75A08. Nonprofit organizations.
Nothing under this chapter shall prohibit the department or cooperating officials and agencies from contracting with nonprofit organizations to offer support services to eligible EMERGENCY responders in accordance with this chapter.

§ 75A09. Publication.
The department and cooperating officials and agencies shall post on their respective publicly accessible Internet websites the contact information of entities offering support services under this chapter.

§ 75A10. Confidential communications involving emergency responders.
(a) Disclosure.--Except as provided under subsection (b), a trained peer support provider or coparticipant present during peer support services OR A HELPLINE OPERATOR may not disclose any information regarding an emergency responder without the consent of the emergency responder.
(b) Exceptions.--The privilege established under subsection (a) shall not apply if any of the following apply:
   (1) The peer support TRained Peer Support PROVIDER or helpline operator reasonably believes a clear and present danger exists to the emergency responder or to other
individuals.

(2) The emergency responder has given express consent to disclose information.

(3) The emergency responder is deceased and the surviving spouse or the executor or administrator of the estate of the deceased emergency responder has given express consent.

§ 75A11. Funding.

The department may expend annually an amount not to exceed $250,000 from the Emergency Medical Services Operating Fund to carry out the provisions of this chapter. MONEY ALLOCATED TO THE CATASTROPHIC MEDICAL AND REHABILITATION FUND FOR VICTIMS OF TRAUMA.

Section 2. Section 8153(c) of Title 35 is amended by adding a paragraph to read:

§ 8153. Support of emergency medical services.

* * *

(c) Purpose of fund.—Except as provided under subsection (d), 75% of the money from the Emergency Medical Services Operating Fund shall be disbursed by the department for only the following uses:

* * *

(5) To carry out the provisions of Chapter 75A (relating to emergency responder mental wellness and stress management).

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Section 3. Sections 3121 and 3807(b)(1)(ix) of Title 75 are amended to read:

§ 3121. EMS costs.

In addition to any other costs that may be imposed under this...
part for a traffic violation, except for a parking violation, a
-cost of $10 shall be imposed. Moneys collected shall be-
forwarded to the State Treasurer for deposit in the Emergency-
Medical Services Operating Fund.

§ 3807. Accelerated Rehabilitative Disposition.

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(b) Evaluation and treatment.--

(1) A defendant offered Accelerated Rehabilitative-
Disposition for a violation of section 3802 is, as a-
condition of participation in the program, subject to the-
following requirements in addition to any other conditions of-
participation imposed by the court:

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(ix) The defendant shall pay a cost of $25 which shall be forwarded to the State Treasurer for-
deposit in the Emergency Medical Services Operating Fund.

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SECTION 2. SECTION 8153(D) OF TITLE 35 IS AMENDED TO READ: <--

§ 8153. SUPPORT OF EMERGENCY MEDICAL SERVICES.

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(D) ALLOCATION TO CATASTROPHIC MEDICAL AND REHABILITATION
FUND.--TWENTY-FIVE PERCENT OF THE MONEY IN THE EMERGENCY MEDICAL
SERVICES OPERATING FUND SHALL BE ALLOCATED TO A CATASTROPHIC
MEDICAL AND REHABILITATION FUND FOR VICTIMS OF TRAUMA AND TO
CARRY OUT THE PROVISIONS OF CHAPTER 75A (RELATING TO EMERGENCY
RESPONDER MENTAL WELLNESS AND STRESS MANAGEMENT). AFTER THE
EXHAUSTION OF ALL ALTERNATIVE FINANCIAL RESOURCES, OTHER THAN
THOSE EXCLUDED BY THE DEPARTMENT FROM CONSIDERATION, THE
CATASTROPHIC FUND SHALL BE AVAILABLE FOR THE PURCHASE OF
MEDICAL, REHABILITATION AND ATTENDANT CARE SERVICES FOR TRAUMA
VICTIMS AND MAY BE MADE AVAILABLE FOR THE PURCHASE OF SUPPORTIVE SERVICES SUCH AS RESPITE CARE AND COUNSELING SERVICES FOR THE FAMILY OR HOUSEHOLD MEMBERS OF TRAUMA VICTIMS. THE DEPARTMENT MAY, BY REGULATION, PRIORITIZE THE DISTRIBUTION OF FUNDS BY AND WITHIN CLASSIFICATION OF TRAUMATIC INJURY.

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Section 4 3. This act shall take effect as follows:

(1) The addition of 35 Pa.C.S. § 75A02(b) shall take effect in 180 days.

(2) The remainder of this act shall take effect immediately.