

Amendment No.

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED (Y/N)
ADOPTED AS AMENDED (Y/N)
ADOPTED W/O OBJECTION (Y/N)
FAILED TO ADOPT (Y/N)
WITHDRAWN (Y/N)
OTHER

1 Committee/Subcommittee hearing bill: Civil Justice Subcommittee
2 Representative McClain offered the following:

3
4 **Amendment (with title amendment)**

5 Remove lines 28-89 and insert:

6 (c) "Peer support" means any conversation or communication
7 between a first responder and a person who is not a health care
8 practitioner but who has experience working as or with a first
9 responder regarding any physical or emotional conditions or
10 issues associated with the first responder's employment.

11 (2) A person who is not a health care practitioner who
12 provides peer support to a first responder may not testify in
13 any civil, criminal, administrative, disciplinary, or other
14 proceeding or otherwise divulge information obtained during such
15 peer support, except when:

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16 (a) The person providing peer support is a defendant in a
17 civil, criminal, administrative, disciplinary, or other
18 proceeding arising from a complaint filed by the first
19 responder, in which case such information may be divulged but
20 shall be limited to the scope of the proceeding.

21 (b) The first responder agrees, in writing, to allow the
22 person to testify about or divulge information related to the
23 peer support.

24 (c) There are articulable facts or circumstances that
25 would lead a reasonable, prudent person to fear for the safety
26 of the first responder, another person, or society, and the
27 person providing peer support communicates the information only
28 to the potential victims, appropriate family members, or law
29 enforcement or other appropriate authorities. There shall be no
30 liability on the part of, and no cause of action of any nature
31 shall arise against, the person for the disclosure of
32 information under this paragraph.

33 Section 2. Section 166.0494, Florida Statutes, is created
34 to read:

35 166.0494 Peer support for first responders.—

36 (1) For purposes of this section, the term:

37 (a) "First responder" has the same meaning as provided in
38 s. 166.0446, and also includes public safety communications
39 officers, dispatchers, and 911 or other phone system operators

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40 whose job duties include providing support or services to first
41 responders.

42 (b) "Health care practitioner" has the same meaning as
43 provided in s. 456.001.

44 (c) "Peer support" means any conversation or communication
45 between a first responder and a person who is not a health care
46 practitioner but who has experience working as or with a first
47 responder regarding any physical or emotional conditions or
48 issues associated with the first responder's employment.

49 (2) A person who is not a health care practitioner who
50 provides peer support to a first responder may not testify in
51 any civil, criminal, administrative, disciplinary, or other
52 proceeding or otherwise divulge information obtained during such
53 peer support, except when:

54 (a) The person providing peer support is a defendant in a
55 civil, criminal, administrative, disciplinary, or other
56 proceeding arising from a complaint filed by the first
57 responder, in which case such information may be divulged but
58 shall be limited to the scope of the proceeding.

59 (b) The first responder agrees, in writing, to allow the
60 person to testify about or divulge information related to the
61 peer support.

62 (c) There are articulable facts or circumstances that
63 would lead a reasonable, prudent person to fear for the safety

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64 of the first responder, another person, or society, and the
65 person providing peer support communicates the

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T I T L E A M E N D M E N T

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Remove lines 5-10 and insert:

70

practitioner who provides peer support to a first responder from

71

testifying or divulging information under certain circumstances;

72

providing exceptions; creating s. 166.0494, F.S.; providing

73

definitions; prohibiting a person who is not a health care

74

practitioner who provides peer support to