

1 A bill to be entitled
 2 An act relating to peer support for first responders;
 3 creating s. 125.272, F.S.; providing definitions;
 4 prohibiting a person who is not a health care
 5 practitioner who provides peer support to a first
 6 responder from testifying or divulging information
 7 under certain circumstances; providing exceptions;
 8 creating s. 166.0494, F.S.; providing definitions;
 9 prohibiting a person who is not a health care
 10 practitioner who provides peer support to a first
 11 responder from testifying or divulging information
 12 under certain circumstances; providing exceptions;
 13 providing an effective date.

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 15 Be It Enacted by the Legislature of the State of Florida:

16
 17 Section 1. Section 125.272, Florida Statutes, is created
 18 to read:

19 125.272 Peer support for first responders.—

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

21 (a) "First responder" has the same meaning as provided in
 22 s. 125.01045, and includes public safety communications
 23 officers, dispatchers, and 911 or other phone system operators
 24 whose job duties include providing support or services to first
 25 responders.

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

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

33 (2) A person who is not a health care practitioner who
34 provides peer support to a first responder may not testify in
35 any civil, criminal, administrative, disciplinary, or other
36 proceeding or otherwise divulge information obtained during such
37 peer support, except when:

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

43 (b) The first responder agrees, in writing, to allow the
44 person to testify about or divulge information related to the
45 peer support.

46 (c) There are articulable facts or circumstances that
47 would lead a reasonable, prudent person to fear for the safety
48 of the first responder, another person, or society, and the
49 person providing peer support communicates the information only
50 to the potential victims, appropriate family members, or law

51 enforcement or other appropriate authorities. There shall be no
52 liability on the part of, and no cause of action of any nature
53 shall arise against, the person for the disclosure of
54 information under this paragraph.

55 Section 2. Section 166.0494, Florida Statutes, is created
56 to read:

57 166.0494 Peer support for first responders.—

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

59 (a) "First responder" has the same meaning as provided in
60 s. 166.0446, and also includes public safety communications
61 officers, dispatchers, and 911 or other phone system operators
62 whose job duties include providing support or services to first
63 responders.

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

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

71 (2) A person who is not a health care practitioner who
72 provides peer support to a first responder may not testify in
73 any civil, criminal, administrative, disciplinary, or other
74 proceeding or otherwise divulge information obtained during such
75 peer support, except when:

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

81 (b) The first responder agrees, in writing, to allow the
82 person to testify about or divulge information related to the
83 peer support.

84 (c) There are articulable facts or circumstances that
85 would lead a reasonable, prudent person to fear for the safety
86 of the first responder, another person, or society, and the
87 person providing peer support communicates the information only
88 to the potential victims, appropriate family members, or law
89 enforcement or other appropriate authorities. There shall be no
90 liability on the part of, and no cause of action of any nature
91 shall arise against, the person for the disclosure of
92 information under this paragraph.

93 Section 3. This act shall take effect July 1, 2019.