

By Senator Perry

8-01225B-19

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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-to-peer support to a
6 first responder from testifying or divulging
7 information under certain circumstances; providing
8 exceptions; creating s. 166.0494, F.S.; providing
9 definitions; prohibiting a person who is not a health
10 care practitioner who provides peer-to-peer support to
11 a first responder from testifying or divulging
12 information under certain circumstances; providing
13 exceptions; providing an effective date.

14
15 Be It Enacted by the Legislature of the State of Florida:

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17 Section 1. Section 125.272, Florida Statutes, is created to
18 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-to-peer support" means any conversation or
29 communication between a first responder and a person who is not

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30 a health care practitioner but who has experience working as or
31 with a first responder regarding any physical or emotional
32 conditions or issues associated with the first responder's
33 employment.

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

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

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

47 (c) There are articulable facts or circumstances that would
48 lead a reasonable, prudent person to fear for the safety of the
49 first responder, another person, or society, and the person
50 providing peer-to-peer support communicates the information only
51 to the potential victims, appropriate family members, or law
52 enforcement or other appropriate authorities. There shall be no
53 liability on the part of, and no cause of action of any nature
54 shall arise against, the person for the disclosure of
55 information under this paragraph.

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

58 166.0494 Peer support for first responders.-

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

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

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

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

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

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

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

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

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88 first responder, another person, or society, and the person
89 providing peer-to-peer support communicates the information only
90 to the potential victims, appropriate family members, or law
91 enforcement or other appropriate authorities. There shall be no
92 liability on the part of, and no cause of action of any nature
93 shall arise against, the person for the disclosure of
94 information under this paragraph.

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