



142354

LEGISLATIVE ACTION

Senate

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House

The Committee on Judiciary (Perry) recommended the following:

Senate Amendment (with title amendment)

Delete lines 23 - 52

and insert:

(b) "First responder peer" means a person who is not a health care practitioner and who is a:

1. First responder from the same employing agency as the person seeking peer support; or

2. Civilian designated by the first responder's employing agency who has received training in providing physical, moral, or emotional support to first responders.



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12 (c) "Health care practitioner" has the same meaning as
13 provided in s. 456.001.

14 (d) "Peer support communication" means oral communications,
15 made with a mutual expectation of confidentiality, between a
16 first responder and a first responder peer for the purpose of
17 discussing physical or emotional conditions or issues associated
18 with being a first responder.

19 (2) A first responder peer may not divulge a peer support
20 communication or information obtained from a peer support
21 communication or testify regarding information obtained from a
22 peer support communication in any civil, criminal,
23 administrative, or disciplinary proceeding, except in the
24 following circumstances:

25 (a) The first responder peer is a defendant in a civil,
26 criminal, administrative, or disciplinary proceeding arising
27 from a complaint filed by the first responder, in which case
28 such information may be divulged but is limited to the scope of
29 the proceeding.

30 (b) The first responder agrees, in writing, to allow the
31 first responder peer to testify about or divulge information
32 related to the peer support communications.

33 (c) The first responder admitted to committing a criminal
34 act involving violence against another person or sexual abuse,
35 or domestic abuse. There is no liability on the part of, and no
36 cause of action of any nature may arise against, the first
37 responder peer for disclosing information under this paragraph.

38 (d) There are articulable facts or circumstances that would
39 lead a reasonable, prudent person to fear for the safety of the
40 first responder, another person, or society, and the first



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41 responder peer communicates the information only to the
42 potential victims, appropriate family members, or a law
43 enforcement agency or other appropriate authorities. There is no
44 liability on the part of, and no cause of action of any nature
45 may arise against, the first responder peer for disclosing
46 information under this paragraph.

47 (3) This section does not limit the disclosure, discovery,
48 or admissibility of information, testimony, or evidence that is
49 obtained by a first responder peer from a source other than a
50 peer support communication.

51
52 ===== T I T L E A M E N D M E N T =====

53 And the title is amended as follows:

54 Delete lines 4 - 9

55 and insert:

56 prohibiting a first responder peer from testifying or
57 divulging specified information under certain
58 circumstances; providing exceptions; prohibiting
59 liability and a cause of action under certain
60 circumstances; providing construction; providing