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Introduced by

Referred to Committee on

Date:

Subject: Health; mental health; emergency service providers; peer support services; confidentiality

Statement of purpose of bill as introduced: This bill proposes to require that communications made during the course of emergency service provider peer support sessions remain confidential.

An act relating to confidentiality for peer support services among emergency service providers

It is hereby enacted by the General Assembly of the State of Vermont:

Sec. 1. 18 V.S.A. § 7257c is added to read:

§ 7257c. CONFIDENTIALITY; PEER SUPPORT SERVICES FOR EMERGENCY SERVICE PROVIDERS

(a) As used in this section:

(1) “Peer support program” means a program established or accessed by the employer of emergency service providers to provide support services to emergency service providers working in a paid or volunteer capacity.

(2) “Peer support communication” means

- (A) an oral or written communication made in the course of a peer support session;
- (B) a note or report arising out of a peer support session; or
- (C) record of a peer support session

40
41 (3) “Peer support specialist” personnel” means
42

43 (A) a member of an organized and recognized peer support program
44 (for example, Green Mountain Critical Incident Stress Management Team,
45 SECURE Peer Support Program, among others) and

46 (B) is an emergency service provider who has received training in
47 providing peer support services from a recognized training resource such as
48 the International Critical Incident Stress Foundation (ICISF); or

49 (C) is a member of an employer-based peer support program (for
50 example Burlington Fire Department Behavioral Wellness Team, Vermont
51 State Police Member Assistance Team.).
52

53 (4) “Emergency service provider” means an individual:
54

55 (A) currently recognized by a Vermont fire department as a
56 firefighter;

57 (B) currently licensed by the Department of Health as an emergency
58 medical technician, an emergency medical responder, an advanced
59 emergency medical technician, or a paramedic;

60 (C) currently certified as a law enforcement officer by the Vermont
61 Criminal Justice Council, including constables and sheriffs;

62 (D) currently employed by the Department of Corrections as a
63 probation, parole, or correctional facility officer;

64 (E) currently certified by the Vermont Enhanced 911 Board as a
65 911 call taker or employed as an emergency communications dispatcher
66 providing service for an emergency service provider organization; or

67 (F) currently registered as a ski patroller at a Vermont ski resort with
68 the National Ski Patrol or Professional Ski Patrol Association.

69 (G) Medical examiners and assistant medical examiners as appointed
70 by the Chief Medical Examiner (18 V.S.A. § 508)

71 (H) all other first responders as defined by the Emergency Service
72 Provider Wellness Commission Act (18 V.S.A. § 7257b)
73

74 (5) “Employer” means an entity that employs or oversees emergency
75 service providers working in a paid or volunteer capacity, including a State or
76 local agency, such as a county sheriff, municipal police department, Vermont
77 State Police, or any State or local public body that employs or oversees
78 volunteer emergency service providers.

79 (6) "Peer support session" means an individual or group peer support
80 session provided by a peer support specialist for emergency service providers who
81 have been involved in a potentially traumatizing event or are suffering from
82 cumulative or chronic emotional stress by reason of their employment or volunteer
83 service or related to other personal matters.

84
85 (b)(1) Except as provided in subsection (d) of this section, any communication
86 made by a participant in a peer support session of a peer support program
87 established or accessed by an employer of emergency service providers, including
88 any oral or written information conveyed during a peer support session, shall not
89 be disclosed by any individual participating in the peer support session.

90
91 (2) Except as provided by subsection (d) of this section, any communication
92 relating to a peer support session between peer support specialist and other staff
93 members of a peer support program or between staff members of a peer support
94 program, including any oral or written information, shall not be disclosed by any
95 individual participating in the communication.

96
97 (3) Written communications described in this subsection, such as notes,
98 records, and reports related to a peer support session, are exempt from public
99 inspection and copying under the Public Records Act and shall be kept
100 confidential. The Public Records Act exemptions created in this section shall
101 not be subject to the provisions of 1 V.S.A. § 317(e) (repeal of Public Records
102 Act exemptions).

103
104 (c) Except as provided by subsection (d) of this section, any communication made
105 by a participant or peer support specialist in a peer support session, including any
106 oral or written communication, such as notes, records, and reports related to the
107 peer support, shall not be admissible in a judicial, administrative, or arbitration
108 proceeding. Limitations on disclosure imposed by this subsection include
109 disclosure during any discovery conducted as part of an adjudicatory proceeding.
110 Limitations on disclosure imposed by this subsection shall not include knowledge
111 acquired by an emergency service provider from observations made during the
112 course of employment or volunteer service or information acquired by the
113 emergency service provider during the course of employment or volunteer service
114 that is otherwise subject to discovery or introduction into evidence.

115
116 (d)(1) Confidentiality protections described in subsections (b) and (c) of
117 this section shall only apply to a peer support session conducted by an individual

118 who has:

119

120 (A) been designated by an employer or a peer support program
121 to act as a peer support resource; and

122 (B) received training in providing peer support to emergency service
123 providers who have been involved in potentially traumatizing events by
124 reason of their employment or volunteer service.

125

126 (2) Confidentiality protections described in subsections (b) and (c) of this
127 section shall not apply to the following information as it pertains to an
128 individual designated to receive such information in the normal course the
129 individual's professional responsibilities:

130

131 (A) any threat of suicide or homicide made by a participant of a peer
132 support session or any information conveyed in a peer support session
133 relating to a threat of suicide or homicide;

134 (B) any information relating to the abuse of a child or vulnerable
135 adult, or other information that is required to be reported by law;

136 (C) any admission of criminal conduct; or

137 (D) any admission of a plan to commit a crime.

138

139 (e) Nothing in this section shall prohibit any communications between peer
140 support specialists regarding a peer support session or between peer support
141 specialists and other staff members of a peer support program.

142

143 (f) An employer shall not be liable for any disclosure made in violation of
144 this section by an emergency service provider who participates in a peer
145 support session.

146

147 (g) A peer support specialist or program providing peer support is not liable for
148 damages, including personal injury, wrongful death, property damage, or other
149 loss related to the specialist's or program's act, error, or omission in the
150 performance of the services, unless the act, error, or omission constitutes wanton,
151 willful, or intentional misconduct.

152

153 Sec. 2. EFFECTIVE DATE

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155 This act shall take effect on July 1, 2026.