

Senate Engrossed

peer support teams; information; disclosure

State of Arizona
Senate
Fifty-sixth Legislature
Second Regular Session
2024

SENATE BILL 1071

AN ACT

AMENDING SECTION 38-1111, ARIZONA REVISED STATUTES; RELATING TO PUBLIC SAFETY OFFICERS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 38-1111, Arizona Revised Statutes, is amended to
3 read:

4 38-1111. Critical incident stress management team members;
5 peer support team members; privilege; exceptions;
6 definitions

7 A. Except as provided in subsection B **OF THIS SECTION**, a critical
8 incident stress management team member **OR PEER SUPPORT TEAM MEMBER** who, in
9 the course of the member's response to a critical incident at the request
10 of the member or member's agency, acquires information secretly and in
11 confidence from a designated person shall not be compelled to disclose
12 that information in a legal proceeding, trial or investigation before any
13 agency of this state or a political subdivision of this state.

14 B. Subsection A **OF THIS SECTION** does not apply if:

15 1. The communication or advice indicates clear and present danger
16 to the designated person who received crisis response services or to other
17 persons.

18 2. The designated person who received crisis response services
19 gives express consent to the testimony.

20 3. The communication or advice is made during the course of a
21 criminal investigation.

22 4. The designated person who received crisis response services
23 voluntarily testifies, in which case the critical incident stress
24 management team member **OR PEER SUPPORT TEAM MEMBER** may be compelled to
25 testify on the same subject.

26 5. A breach of ~~department~~ **AGENCY** policy exists and that breach
27 amounts to a violation of laws that are normally enforced by law
28 enforcement.

29 C. For the purposes of this section:

30 1. **"AGENCY" MEANS THE BRANCH OF GOVERNMENT, POLITICAL SUBDIVISION**
31 **OF THIS STATE OR JOINT POWERS AUTHORITY IN WHICH A DESIGNATED PERSON IS**
32 **EMPLOYED.**

33 2. **"CIVILIAN EMPLOYEE" MEANS A NONSWORN MEMBER OF AN AGENCY OR PEER**
34 **SUPPORT TEAM.**

35 ~~1.~~ 3. **"Crisis response services"** means consultation, risk
36 assessment, referral and ~~onsite~~ **ON-SITE** crisis intervention services
37 provided by a critical incident stress management team, **PEER SUPPORT TEAM**
38 **OR PEER SUPPORT TEAM MEMBER** to a designated person.

39 ~~2.~~ 4. **"Critical incident stress management team member"** means an
40 individual who has completed training through a recognized organization
41 that delivers critical incident stress management training and who is part
42 of a law enforcement, probation, firefighter or emergency medical provider
43 crisis response team.

44 ~~3. "Department" means the branch of government in which a~~
45 ~~designated person is employed.~~

1 ~~4.~~ 5. "Designated person" means an emergency medical provider,
2 firefighter or law enforcement officer OR A CIVILIAN EMPLOYEE OF AN
3 AGENCY.

4 ~~5.~~ 6. "Emergency medical provider" means municipal, FIRE DISTRICT
5 or state emergency medical services personnel OR EMERGENCY MEDICAL
6 SERVICES PERSONNEL UNDER A JOINT POWERS AUTHORITY.

7 ~~6.~~ 7. "Firefighter" means a municipal, FIRE DISTRICT or state
8 firefighter OR A FIREFIGHTER UNDER A JOINT POWERS AUTHORITY.

9 ~~7.~~ 8. "Law enforcement officer" means:

10 (a) An individual who is certified by the Arizona peace officer
11 standards and training board, other than a person employed by a
12 multi-county water conservation district.

13 (b) A detention officer or correction officer, other than a
14 probationary employee, who is employed by this state or a political
15 subdivision of this state.

16 9. "LICENSED MENTAL HEALTH PROFESSIONAL" MEANS A LICENSED
17 INDIVIDUAL WHO SPECIALIZES IN TRAUMA AND CRISIS, WHO USES EVIDENCE-BASED
18 TREATMENT OPTIONS AND WHO IS ONE OF THE FOLLOWING:

19 (a) A PSYCHIATRIST WHO IS LICENSED PURSUANT TO TITLE 32, CHAPTER 13
20 OR 17.

21 (b) A PSYCHOLOGIST WHO IS LICENSED PURSUANT TO TITLE 32,
22 CHAPTER 19.1.

23 (c) A MENTAL HEALTH PROFESSIONAL WHO IS LICENSED PURSUANT TO TITLE
24 32, CHAPTER 33 AND WHO HOLDS EITHER A MASTER'S OR DOCTORAL DEGREE RELATED
25 TO THE MENTAL HEALTH PROFESSION.

26 (d) A MENTAL HEALTH NURSE PRACTITIONER OR A PSYCHIATRIC CLINICAL
27 NURSE SPECIALIST WHO IS LICENSED PURSUANT TO TITLE 32, CHAPTER 15.

28 10. "MEMBER" MEANS A CRITICAL INCIDENT STRESS MANAGEMENT TEAM
29 MEMBER OR A PEER SUPPORT TEAM MEMBER.

30 11. "PEER SUPPORT TEAM" MEANS A GROUP OF INDIVIDUALS THAT IS
31 DESIGNATED BY AN AGENCY OR AN AGENCY'S AUTHORIZED AFFILIATE, THAT IS
32 SUPERVISED BY A LICENSED MENTAL HEALTH PROFESSIONAL AND THAT IS TRAINED IN
33 ALL OF THE FOLLOWING AREAS:

34 (a) COMPASSION FATIGUE.

35 (b) CRISIS SUPPORT.

36 (c) GRIEF AND LOSS RESILIENCY.

37 (d) MOTIVATIONAL INTERVIEWING.

38 (e) SUICIDE PREVENTION.

39 12. "PEER SUPPORT TEAM MEMBER" MEANS AN INDIVIDUAL WHO HAS
40 COMPLETED TRAINING THROUGH A RECOGNIZED ORGANIZATION THAT OFFERS PEER
41 SUPPORT TRAINING OR CRITICAL INCIDENT STRESS MANAGEMENT TRAINING AND WHO
42 IS PART OF ANY OF THE FOLLOWING:

43 (a) A LAW ENFORCEMENT CRISIS RESPONSE TEAM.

44 (b) A PROBATION OFFICER CRISIS RESPONSE TEAM.

45 (c) A FIREFIGHTER CRISIS RESPONSE TEAM.

46 (d) AN EMERGENCY MEDICAL PROVIDER CRISIS RESPONSE TEAM.