

CHAPTER 492

AN ACT concerning trauma counseling for emergency services personnel and amending P.L.2013, c.233.

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

1. Section 1 of P.L.2013, c.233 (C.2A:84A-22.17) is amended to read as follows:

C.2A:84A-22.17 Trauma counseling for emergency services personnel.

1. a. As used in this act:

“Certified crisis assistance counselor” means a member of a law enforcement agency, emergency medical service unit, fire department or force, emergency communications provider, volunteer fire department, duly incorporated fire or first aid company, volunteer emergency, ambulance or rescue squad association or organization, an authorized representative of a collective bargaining unit or organization representing law enforcement officers or firefighters, or any private citizen designated by an emergency services provider to provide crisis assistance services who is certified by an entity designated by the Commissioner of Human Services to certify individuals to provide crisis assistance services.

"Crisis assistance program" means a program established by an emergency services provider to provide crisis assistance services to employees and volunteers who, while providing emergency services, have been involved in incidents which may produce personal or job-related depression, anxiety, stress, or other psychological or emotional tensions, traumas, pressures, or disorders. Such incidents may include, but shall not be limited to: an event involving the firing of a weapon; significant or serious bodily injury; death; a terroristic act; a hostage situation; or personal injury.

“Crisis assistance services” means consultations, counseling, debriefing, defusing, intervention services, prevention services, and referrals provided to emergency services personnel through a crisis assistance program.

"Emergency services personnel" means a person who is employed as a law enforcement officer, emergency medical service technician, firefighter, emergency communications operator, or in some related occupation or profession, or who serves as a volunteer member of a fire department, duly incorporated fire or first aid company, volunteer emergency, ambulance or rescue squad association or organization and provides emergency services for a local governmental unit.

"Emergency services provider" means a local law enforcement agency, emergency medical services unit, fire department or force, emergency communications provider, volunteer fire department, duly incorporated fire or first aid company, volunteer emergency, ambulance or rescue squad association or organization or company which provides emergency services.

b. Except as otherwise provided in subsection c. of this act:

(1) All information exchanged between a certified crisis assistance counselor and any emergency services personnel participating in a crisis assistance program shall be deemed confidential and shall not be disclosed to any other person; and

(2) A certified crisis assistance counselor shall be privileged against examination as a witness in any civil or criminal proceeding, or in any administrative or arbitration proceeding, with regard to the exchange of information that occurred in a crisis assistance program.

c. Nothing in this act shall be deemed to prohibit:

(1) A professional exchange of information between certified crisis assistance counselors, counseling supervisors, and appropriately licensed or certified psychologists, social workers, or mental health professionals designated by, or contracted by, the emergency services provider for the exclusive purpose of providing for the care and treatment of any emergency services personnel who have been involved in incidents which produced personal or job-related depression, anxiety, stress, or other psychological or emotional tensions, traumas, pressures, or disorders;

(2) An exchange of information concerning any threat or suggestion of suicide or physical harm;

(3) An exchange of information relating to child abuse or elder abuse; or

(4) An exchange of information relating to the commission of a crime.

d. (1) An individual who provides crisis assistance services pursuant to this section shall:

(a) be certified by an entity designated by the Commissioner of Human Services to certify individuals to provide crisis assistance services; and

(b) provide documentation and annual proof of certification to each emergency services provider employing the services of the certified crisis assistance counselor.

(2) An emergency services provider employing the services of a certified crisis assistance counselor shall maintain the documentation and proof of certification provided by the counselor pursuant to paragraph (1) of this subsection, which shall be made available to the commissioner upon request.

e. If an emergency services provider employing the services of a certified crisis assistance counselor determines that the counselor has violated the requirements of this section, the provider shall promptly notify the entity that certified the counselor of the violation. A counselor who violates the requirements of this section shall be considered decertified and shall be ineligible to provide crisis assistance services as a certified crisis assistance counselor for a period of five years from the date of decertification.

2. This act shall take effect immediately.

Approved January 21, 2020.